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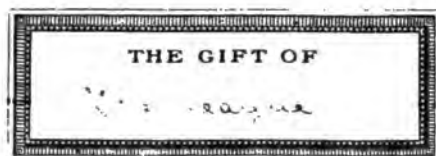
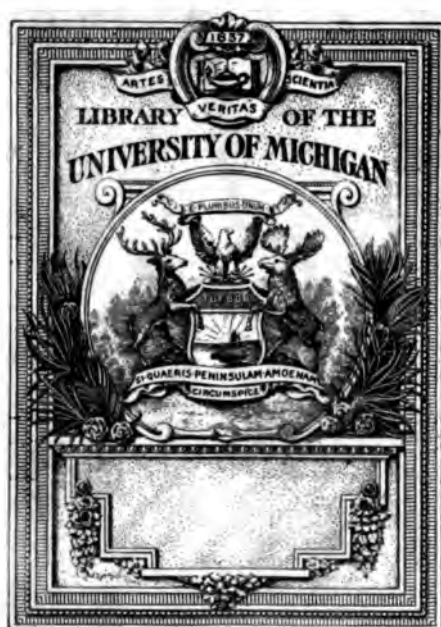
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PROCEEDINGS

71388

AT THE ANNUAL MEETING OF

THE NATIONAL CIVIL-SERVICE REFORM LEAGUE

HELD AT

BALTIMORE, MD., DEC. 15 AND 16, 1898.

WITH THE ADDRESS OF THE PRESIDENT,

AND OTHER MATTERS.

NEW YORK :

PUBLISHED FOR THE

NATIONAL CIVIL-SERVICE REFORM LEAGUE.

1898.

PRESS OF GOOD GOVERNMENT.

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ANNUAL MEETING
OF THE
NATIONAL CIVIL SERVICE REFORM LEAGUE.

DECEMBER 15 AND 16, 1898.

PURSUANT to call, duly issued, the eighteenth annual meeting of the National Civil Service Reform League was held at Baltimore, Md., on the 15th and 16th of December, 1898. Among the delegates in attendance during the several sessions were the following:

BALTIMORE: Charles J. Bonaparte, Daniel Coit Gilman, Joseph Packard, Jr., William Reynolds, William Keyser, W. Hall Harris, John C. Rose, Edwin G. Baetjer, Henry W. Williams, T. Erskine Carson, Cleveland P. Manning, George Reuling, George Pope, John J. Dobler, Skipwith Wilmer, G. W. Gail, Fabian Franklin, John Helmsley Johnson, Alex. Y. Dolfield, Dr. Samuel Theobald, Edward Stabler, Jr., John M. Glenn, Lawrence Turnbull, Wm. T. Brigham.

BOSTON: Richard Henry Dana.

BROOKLINE: Dana Estes.

BUFFALO: Sherman S. Rogers, Henry A. Richmond, Frederick Almy, Charles B. Wheeler.

CAMBRIDGE: Morrill Wyman, Jr.

CHICAGO: John W. Ela.

CINCINNATI: Charles W. Wilby, Max B. May.

CONNECTICUT: W. A. Aiken, Robert P. Keep, Norwich.

DISTRICT OF COLUMBIA: John Joy Edson, Frederick L. Siddons, Henry Heywood Glassie, John T. Doyle, Charles Lyman, Theodore De Land, Adolf G. Wolf, Charles W. Stetson.

HARVARD UNIVERSITY: F. C. Sutro.

INDIANA: William Dudley Foulke, Richmond.

NEW YORK: Carl Schurz, Silas W. Burt, Everett P. Wheeler, William Potts, Dorman B. Eaton, Edward Cary, J. Lawrence McKeever, Cornelius B. Smith, George Haven Putnam, Charles W. Watson, Charles Collins, Samuel P. Avery, Frederick H. Allen, George McAneny.

GENEVA, N. Y.: Francis O. Mason, J. Lawrence Slosson, Theodore J. Smith.

PHILADELPHIA: Herbert Welsh, Charles Richardson, R. Francis Wood, Clinton Rogers Woodruff, George Burnham, Jr., W. W. Montgomery, John Field, Enoch Lewis.

ST. LOUIS: Frederick N. Judson, Albert L. Berry.

VIRGINIA: H. B. Frissell, Hampton.

In response to invitations issued by the League to Municipal Reform Associations and other bodies having the reform of the civil service among their objects, delegates were present from a number of such organizations, as follows;

CHICAGO:—*Citizens' Association*: Murray Nelson, Jr.

CLEVELAND:—*Chamber of Commerce*: William E. Cushing.

BOSTON:—*Massachusetts Reform Club*: Charles Warren, William C. Wait.

WASHINGTON:—*Civic Centre*: Dr. Murray Galt Motter.

The morning session of the 15th, commencing at 10.30 o'clock, was occupied by a joint meeting of the General and Executive Committees, held at the Assembly Rooms, Music Hall.

The annual address of the President, Hon. Carl Schurz, was delivered at Lehmann's Hall at 8 o'clock on the evening of the 15th. It is as follows:

A REVIEW OF THE YEAR.

An Address delivered at the Annual Meeting of the National Civil Service Reform League, at Baltimore, Md., December 15, 1898.

BY HON. CARL SCHURZ.

[It was in this hall that, six years ago, my predecessor, George William Curtis, whose memory is reverently and affectionately cherished by us all, delivered the last of his annual addresses—addresses which never failed to instruct our judgment, to strengthen our faith, to inspire our efforts, and to lift us up to a higher conception of patriotic duty. After having, with the peculiar grace and force of his eloquence, discussed the evils and dangers flowing from the use of official patronage as party spoil, he proceeded, as had always been his wont on similar occasions, to review the conduct of those in power, as that conduct had served to advance or to hinder the reform of the civil service; and in doing so he pronounced praise or censure, according to the facts before him, in a spirit of justice and fairness, without fear or favor. In his annual address of 1886 he declared:

“This League is the only organized and authentic national representative of the reform sentiment. I challenge any man to show that it has in any degree, or at any time, betrayed the trust voluntarily assumed by it, with the approval of the locally organized friends of reform, of honestly and adequately representing that sentiment, and its criticisms and demands upon political parties and public men. The League has pandered to no personal ambition, to no party purpose. It has been no man’s instrument, nor has it been the organ of any faction.”

I trust the League deserves this definition of its character and attitude to-day as much as it deserved it twelve years

ago, and that it will always deserve it while it lives. Indeed, if it ever ceased to be perfectly non-partisan as between political parties, and perfectly impartial as between persons, it would forfeit all claim to public confidence, and all possibility of public usefulness. And this I am confident it never will, so long at least as you and I have any part in its direction.

Our record will bear me out when I say, that we have always been heartily glad to praise and heartily sorry, even reluctant, to blame, when our duty demanded it. And so we are now. But at present we find ourselves, much against our liking, compelled to recognize the fact that in the year now ending the cause of civil service reform has been less prosperous than in the year which preceded it. In saying this, I have the national service especially in mind.

President McKinley, was elected on a platform which declared that: "The civil service law was placed on the Statute book by the Republican party, which has always sustained it, and we renew our repeated declaration that it should be thoroughly and honestly enforced, and extended wherever practicable." In his letter of acceptance and his inaugural address he emphatically accepted this platform, and pledged himself that under his administration there should be no backward step. These pledges clearly covered the extension and the scope of the civil service rules made by President Cleveland, which had long been published and sufficiently discussed by the public press to bring them to the knowledge of every intelligent person in any manner interested in public affairs. At our last annual meeting, at Cincinnati, the League whenever opportunity offered, was profuse in its praise of the fidelity with which President McKinley had withstood the pressure of the spoils politicians urging him to rescind President Cleveland's order, and with which he had upheld the integrity of the merit system as far as it then existed; and gladly were some delinquencies of minor importance overlooked which, occurring here and there, it was hoped would be promptly corrected by the administration as soon as its attention were invited to them. In short, the League in every possible manner expressed its confidence in the President's intention to make good the solemn pledges of his party, as well as his own, and it left nothing undone to assist him in doing so, by offering such information as was at its disposal, and such suggestions

as occasion seemed to demand. And it must be added that the President uniformly received such information and such suggestions with great courtesy, and with the assurance that they would have his earnest consideration.

But some time ago he gave us to understand that he purposed to issue an order excepting certain important classes of offices from the operation of the civil service law, against which we thought it our duty respectfully to remonstrate, hoping to convince him that such exceptions were unnecessary and would be injurious to the public interest. When the report that such an order would after all be issued continued to appear, the League thought it proper to submit to him a more formal protest, which has been spread before the public, together with elaborate briefs showing in detail how uncalled for, as we thought, as well as how hurtful, such curtailments of the merit system would be.

So far the order in question has not appeared, but we have no assurance of any sort that the President has changed his mind as to his intention to issue it. Under these circumstances I can only repeat the appeal made to him by the General and Executive Committees of the League in these words:

"We believe that changes, whereby positions and classes of positions are now removed permanently from the classified service, will be accepted not only as a step backward, but as proof that the system is not regarded by the present administration as here, and here to stay, and will inevitably awaken doubts as to the sincerity of repeated declarations of the party now dominant in national affairs that the law establishing it shall be thoroughly and honestly enforced and extended wherever practicable. How far this view of the action said to be contemplated would be just or reasonable, we do not think it needful to discuss: we lay before you our conviction that it would be the view taken, in fact, by the intelligent public, that it would impair the confidence of many patriotic Americans in the honor and good faith of their government, and that it would encourage the pernicious activity of men interested in our politics principally as a means of securing selfish advantage. We urge earnestly, that these grave evils may be guarded against." And I may add that if the President should after all decide to abstain from issuing such an order that decision



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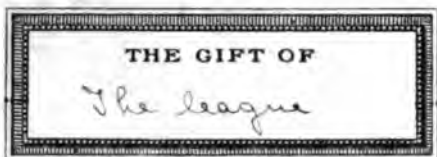
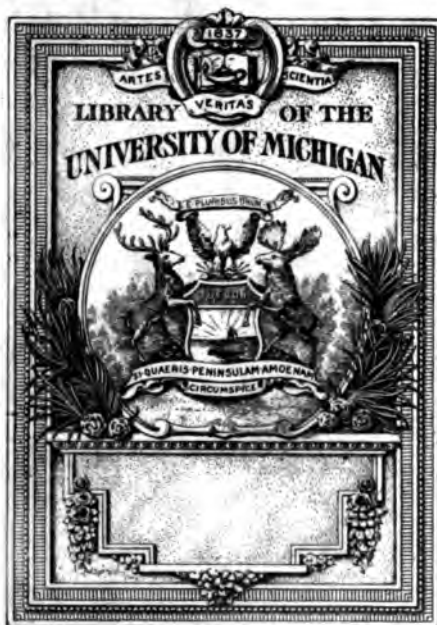
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Cleveland issued, in 1895, an order that no person should be appointed to a Consulship, the salary of which was between \$1,000 and \$2,500, both inclusive, without having been subjected to a rigid examination on the following subjects:

- (1) General education, knowledge of languages, business training and experience.
- (2) The country in which the consul or commercial agent is to reside, its government, chief magistrate, geographical features, principal cities, chief production and its commercial intercourse and relations with the United States.
- (3) The exequatur, its nature and use.
- (4) Functions of a consul or commercial agent as compared with those of a vice-consul or consular-agent, relation of former to latter, also to the United States minister or ambassador at the capital of the country.
- (5) Duties of a consul or commercial agent as regards :
 - (a) Correspondence with the State Department and the form thereof.
 - (b) Passports, granting and visaing.
 - (c) United States merchant vessels in a foreign port, and their crews, whether seeking discharge, deserting, or destitute.
 - (d) Wrecks within the jurisdiction.
 - (e) Wrongs to United States citizens within jurisdiction.
 - (f) Invoices.
 - (g) Official fees and accounts.
- (6) Treaties between the United States and the foreign country.
- (7) Relations of ambassador and minister to laws of the country to which they are accredited, as compared with those of consul or commercial agent to those of the countries where they reside.
- (8) Acts of ambassador or minister, how far binding upon his country.
- (9) Diplomatic, judicial, and commercial functions of consuls or commercial agents.
- (10) Piracy, what it is and where punishable.
- (11) Consular Regulations of the United States—copy of which (to be returned to the Department) will be supplied to each candidate upon application.
- (12) Such other subject or subjects as the Board may deem important and appropriate in any particular case.

These examinations were to be conducted by a Board consisting of the Third Assistant Secretary of State, the Solicitor of the State Department, and the Chief of the Consular Bureau.

Secretary Olney, himself, pronounced this order at the time of its promulgation, not a final measure, but a "step in the right direction." As a step in the right direction, as a proof of good intentions, and as an official recognition of the necessity of withdrawing the Consular service from the reach of







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reform was to be made, must understand that their efforts have so far been in vain, and that, very thinly disguised, the old spoils methods in the appointment of Consular officers are in full flower. They seem to acknowledge this, for they have begun to petition for reform of the consular service once more, with Cleveland, Ohio, in the lead.

I am sure I am expressing the feelings of every member of this League—indeed of every honest and self-respecting citizen the country over—when I say that we should prefer the dropping of the disguise. If men of unsuitable character and acquirements must, at the dictation of Senatorial or other bosses, be put into the Consular Service of the country, let it at least be done frankly and courageously under the old spoils flag, and not under the cover of a so-called reform system.

The new Secretary of State, Col. John Hay, has done a good service to the country by permitting the truth about the Consular examinations to emerge from the veil of mystery in which they had been shrouded. The public obligation to him will of course be much greater if he employs his official influence to the utmost, as I earnestly hope he will, toward accomplishing what the business community of the country has so long and so vainly been praying for—that is a system of examinations for Consular positions that will really rescue the Consular service from the deleterious touch of spoils politics, and bring to it the best attainable ability and character.

I have no doubt that he is the man to do this, and that he has the honorable ambition to earn this title to the gratitude of the country. But if he makes the attempt he will, in order to succeed, have to take the experience of the past earnestly to heart. Why have all similar attempts failed? Not necessarily because the men making them acted in bad faith, but because they contented themselves with mere pass examinations.

The first consequence regularly was that presently admission to these examinations was granted only by way of political favor and influence; and the second, that the political favor and influence which had secured to the favored the admission to the examination, then also proved strong enough to have the examination so arranged that the favored could easily pass. And thus appointments were controlled by influence and favor, just as they had been before. Now I admit that in countries in which spoils politics have never

d, as in Germany, or in which, as in England, they have ceased to prevail so as to have entirely disappeared from habits and even from the memory of the people, passions may more easily be maintained in practical effect, although even there,—as John Stuart Mill forcibly says in a well remembered dissertation—even there they tend to deteriorate. But in a country, in the politics of which the spoils system has long been the rule, is still struggling with its influence, and has a majority of active politicians still attached to it, and those spoils politicians constantly scheming to prevent every arrangement that might wrench any man from a salary worth having from their grasp, or how to remove or circumvent existing barriers in order to get hold of offices again—in such a country mere pass examinations serve the purpose only when they are conducted by especially conscientious and competent persons under an administration so indomitably resolved to maintain them in integrity, as to be perfectly proof against all political influence and pressure. An administration fully answering the requirement we have not had yet. It is therefore only that in such surroundings the administration should surround itself with as strong a bulwark as possible against the influence of influence, and the strongest bulwark as yet discovered is the competitive system of examination, open to all, which gives the best man the best chance for appointment without regard to party affiliations. In this respect I cannot repeat what I said in my last annual address: "Our commercial community wants a real reform in the method of appointment to Consular positions, it must insist on three things: competitive examination for admission to Consular service; promotion only for merit; and removal without cause."

It can be said that competitive examinations are inapplicable to Consular offices, appointments to which require confirmation by the Senate; for it is wholly within the discretion of the President to order, for his own

responsibility to their constituents. But I have no doubt that if the President introduced such a system, and the Senate sought to break it down by systematically rejecting the candidates so selected, the commercial community would rise up in its might, and the public opinion of the country would teach the Senators a lesson not likely to be soon forgotten.

I said that the competitive system is the strongest bulwark so far devised against the pressure of political influence. I do not pretend, however, that it is an absolutely safe bulwark when those whom it is to protect collude with those who assail it.

It appears that the smuggling of persons into places subject to competitive examination without such an examination has been developed into a fine art in various branches of the service, and that the "beating" of the law and of the rules is extensively carried on with much ingenuity and system.

Some of these practices, as they occurred in the Revenue Service, and in the Internal Departments, I have already discussed; but more is to be said. The Pension Commissioner circumvented the law in the appointment of Examining Surgeons by appointing in localities where Boards already existed, new Boards, and sending all applicants to these. As the personnel of such Boards become classified only when the amount of fees received is \$300 annually, the new appointees were invariably treated as unclassified, and the old classified Boards were practically driven out of business. In the Post-Office Department it has become a not infrequent practice to appoint persons without examination as clerks in offices that are about to be made free delivery offices becoming thereby classified, and then to transfer such persons, immediately after they have thus been "covered in," to other positions in other parts of the Post-Office department, or even in other departments. Four persons have been transferred in this way to the important classified position of Post Office Inspector, four have been sent to the Treasury Department, and others to the San Francisco Mint, the Government Printing establishment, and other offices.

The method followed in the field force of the Interior Department, whereby persons have been employed temporarily in the absence of eligible lists, and all efforts to hold examin-

ations to secure permanent appointees have then been discouraged, has been referred to.

As the Civil Service Commission depends on the department officers for a statement of the duties for which specific qualifications are desired, and for other information necessary in fixing the scope of an examination, it will readily be seen that where the department refuses utterly to co-operate, the provisions of the law cannot be enforced. The Department of Justice has followed this same plan in the appointment of clerks and others made in the offices of United States District Attorneys and Marshals. In other departments and offices, notably in the San Francisco Custom House, persons have been appointed to positions nominally in the "excepted" list and then assigned to other duties, while the "excepted" duties are performed by old employees under classified titles.

The tricks employed in getting rid of employees whose places are desired, have been quite as various. In many cases men have been laid off, ostensibly "for lack of work," while immediately afterward their positions have been filled by others who perform the identical duties. In other cases the reasons stated in nominal compliance with the President's order of July, 1897, have been so plainly of the "trumped up" sort as to call forth indignant protests not only from the Civil Service Commission but from the inspecting officers of the departments themselves. In still others employees have been given an "indefinite furlough without pay," and their places quickly filled by persons appointed to do the same work "in the absence of eligible lists."

These are not secret matters. Many of these occurrences are reviewed in the last published annual report of the Civil Service Commission, 127 pages of which are devoted to them. The most serious fact is that such cases, remaining uncorrected, are permitted to stand as precedents of the most vicious and demoralizing sort.

This is an unwelcome exhibition which I should be most happy not to be obliged to spread before you. But however unpalatable that duty may be, it must be done. The President's good intentions are not to be questioned. But those intentions are evidently treated with reckless disrespect by some of the officers under him who by their evil practices burden him with re-

sponsibilities which he must find extremely irksome, and which he should not be willing to bear.

Let us now turn to the brighter side of the picture. I believe I can say with perfect assurance that the public opinion of the country has never been so strongly supporting the cause of civil service reform as it is now. Among the great newspapers of the Republic, that is to say among those which have the largest circulations, and command the most influence, there are avowedly opposed to it hardly more than you can count upon the fingers of one hand. A large majority of them are advocating and sustaining it with more or less fidelity and force. Discussion on the usefulness of the merit system as it affects the administration of the public business has substantially ceased. On the whole, the spoils politician in assailing civil service reform confines himself to certain hackneyed ribaldries, and to the fierce exclamation that he and his kind *must* have the offices as a reward for party service. I have of late observed only one argument against the merit system, which, although not new, has recently been advanced by an adherent of the Republican boss of Pennsylvania in the tone of a wail of despairing virtue clad in a garb of politico-philosophical reasoning. It appeared in one of our journals in these words:

"The amount of jobbery and corruption which pervades all parties and all factions is enough to make a man who knows anything about it sick and skeptical concerning the future of the country. I call it horrible. I will tell you what has done more than anything else to debauch American politics. It is this civil service reform business. Before the Chinese system came in, whenever you wanted a man to work for you in politics, all you had to do was to promise to find him a place in Washington if you were successful and your party got into power. If you did not win he did not expect anything. To-day, if you are running for an office, and ask a man in town to round up the voters at the caucus for you, he stands back and asks: 'What am I to get out of it?' You cannot give him a place in Washington now, and if this civil service business is allowed to go on the day will come when you cannot give him anything in the line of office anywhere. The result is now that he wants money, and in plain English, you have got to hire and pay for whatever you want done.

The outcome, then, is that an aspirant for political power must either be very rich or must work the corporations which are seeking favors. If he can turn legislative privileges to profit, and so make himself indispensable to somebody, he will have money to do business on. One man cannot run this alone, for one man does not make a Legislature. Hence we must have leaders or 'bosses' as you would call them, so that whenever a great corporation wants something which it is willing to pay for, it can go directly to the boss, and he in turn can parcel out the money to such of his followers as are willing in state Legislatures, city Councils, and the national Congress to vote as he directs, or to earn the money. This is a plain business proposition."

Thus we are asked to return to the spoils system in the interest of the public virtue, and strange to say, I have known cases in which this appeal has had some effect upon otherwise sensible persons. Their reasoning is this. We must have political parties. A party must have an organization. An organization must have workers to get out the vote. The workers must have reward. That reward must be either in the shape of office or of money. If you take away the offices, only money remains. And then it will require more and more money.

This reasoning is not without plausibility to a certain point. We must have political parties, and a party in order to be effective must have an organization and workers. This is true. But what kind of an organization and what kind of workers must a party have? Is it necessary that the organization and the workers should consist of a lot of mercenaries who put themselves to party work only for the purpose of making politics profitable to themselves personally? Some people will say that only that class of persons can be found willing to devote themselves to the drudgery of party work. This is plausible. But is it true? We have had political parties in this country before the offices were distributed among party workers with every change of administration, and before much money was used in elections to bring out the voters; and yet parties were as active and party contests as spirited, and the vote was as full then as now. We know that in other countries which have constitutional government, and political parties, and elections, but no distribution of offices as

party spoil, and no bands of mercenary party workers living on politics, party contests are as energetic as they are here.

Must we then admit it to be a fact that while in other countries parties can be maintained without official spoils, and while in this Republic, too, they have in former times been so kept in energetic vitality, the American people have become so mercenary and degraded that they will not give any time or work to their public interests unless they are individually bribed to do so? Have we sunk so low? But if we had, would the substitution of one kind of bribe for another furnish any remedy for this appalling evil? For the distribution of money in the guise of official salaries to party workers is no less a bribe than cash itself. Would not the result of the complete restoration of the spoils system be that those who now demand money for their patriotism, would then demand money and offices, too? Do they not do so now, wherever the offices are still attainable? Is it not true, as a matter of history, that it was the use of offices as a means of bribery that gradually developed the mercenary spirit in our politics? And will not this mercenary spirit, started and stimulated by the partisan use of the patronage, necessarily spread more widely the more it has to feed upon? The spoils system offered the mercenaries offices. The offices presently proved insufficient to satisfy their greed. They then exacted money in addition. They received money, together with the offices. Then certain classes of offices were withdrawn from their grasp, and they demanded more money. And now they simply want the offices back on the ground that they otherwise must insist upon still more money. Is it not certain that the return of the offices to their constantly widening greed would not satisfy, but only sharpen, the appetite?

The suggestion that under existing circumstances we cannot keep our political parties in effective activity without systematic bribery and corruption of some sort, and the fact that such a theory can be advanced with the expectation of its being accepted by good citizens, should only serve to open our eyes to the frightful character of the condition confronting us. It should convince us that the true remedy must be found in the direction of the complete abolition of political pelf.

We must not seek to satisfy the mercenary element, but to get on without it. We must not endeavor to attract the mer-

cenary element to political activity, but do everything we can to drive it out of that political life. We must strive to convince the popular mind that while political parties must have organization, party machines consisting of patronage-mongers and bribe-givers as leaders, with hordes of patronage-hunters and bribe-takers at their command, are not only not necessary to the existence or efficiency of political parties but will deprive parties of their moral vitality, and turn them into mere agencies of general robbery and spoliation.

Nothing could be more deceptive and dangerous than the doctrine that if one party has such a machine, the other one must have one, too, in order to fight the devil with fire. If the observance of this doctrine were carried to its logical consequences, it would turn our party contests simply into something like two or more devils fighting each other with fire. Where two bosses, at the head of two parties respectively, fight one another, this is actually and visibly the case. The peculiarity of these pyrotechnical contests is that not the devils themselves but the people are scorched and roasted.

To put an end to this abominable state of things, there is no other effective means than to deprive the devils as much as possible of their fuel—that is, of their means of bribery; to strip them of their patronage by the greatest practicable extension of civil service reform, and then also to restrict the use of money in elections to the narrowest attainable limits by corrupt practices laws. The latter has been tried, so far with little success, but it is to be hoped that experience will suggest more effective methods, and that the moral sense and the enlightened opinion of the people will compel their introduction and enforcement, as it has compelled the establishment, and is compelling the maintenance of the merit system in the National civil service against all the open assaults and hidden intrigues of spoils politicians.

How strong on our side that moral sense and public opinion have become was strikingly manifested by the signal failure of the anti-civil service reform campaign in the last session of Congress. Every imaginable enginery of warfare was set in motion. There was a committee to investigate the practical working of the civil service rules, by which the enemies of the merit system expected to bring to light its uselessness, or at least striking abuses in its administration. There

were speeches made, some of which resembled in their fierceness of denunciation the wild fury of Indian war-whoops. But the investigation served only to show that the working of the merit system had been most beneficial wherever the civil service regulations had been most faithfully enforced; and the boisterous oratory served only to expose the futility of the intent to hide the absence of argument by vituperate epithets and frantic exclamations. The result was the utter failure of the legislation hostile to the merit system, which had been intended, and that result was unquestionably due to the restraining power of that public opinion which sternly condemns any backward step from the position gained by the advance of civil service reform. It must be emphasized that the President himself also earnestly discountenanced legislation of that kind, and assiduously used his influence to discourage and prevent it.

We have indeed to admit that under cover of the pressure put upon the Government by the breaking out of the Spanish War, some things were done during that session which looked like real successes of spoils politics. The War Department, as well as the Navy Department demanded, to satisfy the exigencies of the time, many additions to various classes of the service under them. The additions were certainly needed, and needed without much delay. The question was only whether the persons needed could be taken from existing eligible lists, or through examinations that might have been speedily held. This question was raised when the Emergency Bill, appropriating money for such positions, was up in Congress. The chairman of the Committee on Appropriations in the House, who had charge of the bill, asked that the additional force be appointed without regard to the civil service rules, for the reason that the Civil Service Commission was utterly unable to cope with the emergency,—that is to furnish a sufficient number of men in accordance with the regulations. This was a remarkable mistake—all the more remarkable as the chairman of the House Appropriations Committee had never taken the trouble to inform himself by application to the Civil Service Commission as to what that Commission was able to do.

The fact is, that the Commission had eligible lists ready to hand from which a large majority of the additional force needed might have been taken, and that there was enough

time for holding more examinations, and for preparing additional lists, before all that force would have been needed. These facts were actually communicated to the Senate Appropriations Committee after the Bill had passed the House, but without effect.

It has been ascertained that of the emergency appointments under the War Department without examination, about 560 were made in the Washington offices directly. It is an interesting fact that a large proportion of these persons, so appointed, were incompetent, and generally ill-suited for the work to be done. That was at the point where political pressure was strongest. On the other hand, the appointments made "in the field," outside of the Department at Washington, were of better character. That was where the political pressure was weakest. The emergency appointments without examination made by the Navy Department were much less in number than those made by the Department of War, but on the whole, of great efficiency. The popular impression is not wrong, that, in the Navy Department, political pressure had the least effect.

While the emergencies of the War were thus taken advantage of to foist into the civil service a large number of persons without examination, the same emergencies, and the events of the War generally have really served to put the necessity of a consistent and vigorous enforcement of the merit system, wherever there is any possibility for it, into a clearer light.

The finest illustration of the virtues of the merit system is furnished by the American Navy, in its administrative as well as in its fighting force. If there be a person in the land who would favor the injection of spoils politics into that splendid organization, the American people would surely set him down as an idiot, or as a traitor. And there is hardly less unanimity of opinion as to the fact, that had there been as general an adherence to the merit principle in the management of the various branches of the military service, the heroic efforts of our soldiers would have achieved their triumphs far more easily, and been attended with far less loss and suffering. This lesson is so obvious that it should penetrate even the dullest understanding, and disarm the most plausible advocacy of spoils politics.

Can the most inventive ingenuity produce any valid reason

why the whole public service—National, State and Municipal—should not be organized upon the simple and self-evident principle which in our Navy has proved so brilliantly successful? Can there be any excuse that would really satisfy the conscience and the common sense of any patriotic citizen, for not conducting the management of our Revenue service, our Consular Service, our Postal Service, our Land and Forestry Service, our Indian Service, the taking of the Census, and every other branch of our administrative machinery, on the basis of the same simple principle? Should not, in the face of these palpable and convincing experiences, the President, and every head of department, and every Senator and Representative in Congress, make haste to break through the vicious notions and habits with which the traditions of spoils politics have surrounded them, and to recognize not only in theory, but by corresponding action, the self-evident truth that as mere skill or unscrupulousness in carrying a caucus, or mere zeal and dexterity in electioneering, or mere liberality in contributing to a party campaign chest, or mere energy in bringing out the voters, would not by any sane person be considered sufficient qualification for the command of a ship, or even for the humble position of a gunner or boatswain on a man-of-war, so it should not be considered a sufficient qualification for a consulship, or a post-office, or a revenue place, or an Indian agency, or even the humblest clerkship; but that wherever any work is to be done for the public, the people are entitled to the best work, and that the work should be given only to those who by the best available method prove themselves best fitted for that work?

There is much talk about the new obligations which the results of the recent war have thrust upon us. This is indeed not the place for discussing the question whether it is desirable or not for this Republic to possess colonial dependencies. But it is certainly pertinent to say that if this Republic should charge itself with such dependencies, the question of their government will be to us one of the gravest problems of the future. Now, however opinions may differ on other points, will anybody deny that if such colonial governments were run on the spoils principle, they would inevitably bring upon us not only disastrous failures, but unbearable disgrace? I think I am not going too far in saying that the intelligence

and the moral sense of the country should in that event be united in demanding for these dependencies a civil service organized upon merit rules as strict, and upon examinations as exacting, as are those of the India Service of Great Britain, that is, rules and examinations far more strict and far more exacting than those which at present govern our classified service.

Now, if the merit system in its fullest development should be considered indispensable for the government of the colonies, in case they come, will there be any hope of obtaining it unless it be considered equally necessary for our home service? I may therefore be permitted to point out in what manner the system we have may still be improved and extended. In the first place all public officers who have any power over their subordinates in the way of promotion or reduction in grade, or of appointment or removal, should be made to understand that they will not be permitted to take any liberties with the civil service law and the rules. In this respect nothing would seem to be more desirable, in order to restore that necessary discipline which in some quarters seems to have become dangerously lax, than the removal of offending officers, by way of warning example. This would prevent much mischief in the future, and save the President himself much otherwise inevitable and exceedingly vexatious tribulation. Secondly, in accordance with the pledge contained in the Republican platform, that the operation of the civil service law should not only not be restricted, but, on the contrary, extended wherever practicable, it would be fitting, and greatly to the public interest, that the assistant postmasters, the employees of the District of Columbia, those of Congress, those of the Congressional Library, the fourth class postmasters, the whole clerical force of the Census Bureau, and the laborers, should be brought into the classified service—the unskilled laborers by means of registration.

Nor should we fail to repeat that, for reasons often set forth by this League, the four-years-term laws, which have been denounced by almost every one of our prominent statesmen in the first half of this century, from Jefferson down, as a prolific source of favoritism, profligate intrigue, and political demoralization, should at last be repealed.

It is gratifying to observe that in several States and municipalities the cause of civil service reform is prosperously advancing.

The story of that Governor of New York who undertook to take the starch out of the civil service of his State, is familiar to you all. He did indeed succeed in taking out of the civil service much of the starch it contained, although, thanks to the watchful energy of the friends of civil service reform in the State, by no means as much as he had intended. But now, having been dropped by those whom he had sought to serve, but, it seems, whom after all he did not serve enough to keep their favor, he will be succeeded by a new Governor, Col. Roosevelt, who in whatever other respects some of us may differ with him, is hailed by all of us as a champion of civil service reform, who in many a hard fought contest for that cause has amply proved that in his composition there was starch in almost limitless abundance. We may therefore confidently expect that, so far as his power reaches, we shall not only recover the ground temporarily lost under his predecessor, but advance beyond it to new fields. At any rate, in the co-operation between Governor Roosevelt and the civil service reformers of the State, good faith and energy will not be wanting, and as there is no doubt that the best part of the intelligence and respectability of that great Commonwealth stands behind them, a happy outcome may surely be hoped for.

From Illinois, too, where since the adoption of the merit system in Chicago, long and somewhat confused struggles have been going on concerning its scope, we have the welcome news of important victories won by the civil service reformers in the Courts.

In far-away San Francisco also, a new city charter has been adopted by a majority of 4,000 votes, after a contest carried on mainly on the civil service issue; and from many other cities we are receiving evidences of hopefully rising interest in our cause.

The present situation may therefore, be summed-up thus: The national administration has so far failed to redeem the pledge contained in the platform upon which it was elected—not only to “enforce the civil service laws honestly and thoroughly,” but also to “extend it wherever practicable;” and various abuses have been allowed to creep into the conduct of the civil service which have had the effect of nullifying the spirit and intent of the law and of the rules in a considerable number of cases. It is gladly ack-

nowledged that the number of such cases is still so limited that it may be spoken of as exceptional. But it has been large and conspicuous enough to impair the confidence of many people in the honest enforcement of the merit system, and to justify the apprehension that, if the abuses complained of be permitted to continue and to spread, they will undermine the discipline of the service and bring back many of the worst evils which the introduction of the merit system was designed to remedy. On the other hand, recent events have served to put the necessity of the maintenance and of the greatest possible extension of the merit system in a stronger light than ever, and still more to invigorate that patriotic public opinion which, steadily increasing in righteous power, will not only not tolerate any backward step but never cease to press on until the work of reform is wholly accomplished and firmly founded.

We are indeed at this annual meeting not so fortunate as to have fresh conquests achieved during the past year to celebrate. But it remains nevertheless true that the main strength of the enemies of civil service reform is broken, that their arsenals of argument are exhausted, and that in the intelligence and virtue of the people we possess a reserve force growing stronger every day. The attacks we have now to beat back from the ground we have won, are after all those of mere marauding parties seeking lodgment in ill guarded positions of ours, and trying to pick up what there may be within their reach, for a living. While they are not without power of mischief, they will be really dangerous only if there be negligence, or pusillanimity, or bad faith in our own camp.

Our duty, always the same, is clear and peremptory. It is to hold aloft with a firm hand the standard of genuine civil service reform; to permit nothing to pass under that name that does not truly satisfy its test; to repel without regard of person or party, without fear or favor, whatever attack may be made upon it, and to press on with indomitable perseverance toward the final consummation of the work. If that duty is fulfilled, as I am fully confident it will be by the League and its patriotic allies, with the old fidelity, truthfulness and courage, a complete and final victory of our cause will surely come, and come at a day not far distant.



MEETING OF THE LEAGUE.

MUSIC HALL, December, 15, 1898.

2:30 P. M.

The President took the chair.

The Secretary made a verbal report, reviewing the work of his office during the year, and the relations of the League with Congress and the Executive, in matters pertaining to the reform of the national civil service. On motion the report was accepted.

The following papers were then read :

"Colonial Administration—A Warning from Spain," by Henry Haywood Glassie, of Washington.*

"Criminal offences among Federal Civil Servants in Maryland under the Spoils and under the Merit System," by John C. Rose, of Baltimore.†

Mr. William Dudley Foulke, of Indiana, as Chairman of the Special Committee on Congressional Action, appointed by the Executive Committee at its meeting of October 4, 1897, presented and read a report on the organization of the Census Bureau. The report showed the virtual failure of the Census of 1890, a result due principally to the selection of the working force for political reasons, and without examinations as to special fitness under the civil service rules. It recommended that immediate action be taken by the League toward inducing Congress to make proper provision for the classification and examination of persons to be employed in the taking of the Twelfth Census, through amendment of the bill to reorganize the Census Bureau now pending in the House.

Some discussion followed, in the course of which Mr. Rose of Baltimore, asked whether in the judgment of the Special

* Page 55.

† Page 68.

Committee it would be practicable to select supervisors and enumerators through competitive examination. The Secretary, for the Committee, replied that it was not the intention to recommend the selection of enumerators in this manner, but that the appointment of Supervisors for special fitness, and without regard to political considerations seemed to be of the highest importance. As the enumerators are selected by the Supervisors, they too would be chosen as a rule for other than political reasons, if the supervisors themselves were unhampered by political ties. The provision of the pending act that not more than two-thirds of the enumerators should be of the same political party would require an inquisition as to the personal politics of every applicant, and, in the judgment of the Committee, would inevitably produce results of the most pernicious character.

After further discussion Mr. Bonaparte of Baltimore, moved the adoption of the following :

RESOLVED.—That the League cordially endorses the conclusions and recommendations of the Special Committee on the Census.

RESOLVED.—That a new Committee of five members be appointed by the President to take whatever steps they may deem to be advisable to secure the adoption of the merit system in the selection of the force to be employed for the taking of the Twelfth Census, and that such Committee be authorized to print the report here submitted, and to send the same to Members of Congress.

Mr. Bonaparte explained that the original committee would be superseded in its general field by the Investigating Committee created by the Executive Committee at its session of this date, and that a separate Committee to deal exclusively with the matter of the Census seemed desirable. The resolutions were then adopted unanimously.

Mr. Bonaparte announced that the members and visiting delegates would be entertained at luncheon by the ladies of the Arundel and Arundel Good Government Clubs, and the hour of one having been reached, the League then adjourned.

MUSIC HALL, December 16, 1898.

10:30 A. M.

The League re-convened at half-past ten o'clock.

The business in order being the annual election of officers, the President call Mr. Cary of New York to the chair.

Mr. Wood, of Pennsylvania, moved that the Secretary be instructed to cast the vote of the League for the re-election of Hon. Carl Schurz as President for the ensuing year. The motion was seconded by a number of members and carried unanimously. The Secretary cast the ballot, and Mr. Schurz was declared elected. In a brief address the President thanked the League for the renewal of confidence it had expressed, and resumed the chair.

On motion of Mr. Bonaparte the Secretary was instructed to cast one ballot for the re-election for one year of the present Vice-Presidents, as follows: Charles Francis Adams, Boston; Augustus R. MacDonough, New York; Rt. Rev. Henry C. Potter, New York; J. Hall Pleasants, Baltimore; Henry Hitchcock, St. Louis; Henry C. Lea, Philadelphia; Franklin MacVeagh, Chicago; Rt. Rev. P. H. Ryan, Philadelphia; William Potts, New York.

The Secretary cast the ballot, and the gentlemen named were declared elected.

Mr. Siddons for the Auditing Committee appointed by the Executive Committee, submitted the following report:

To the National Civil Service Reform League:

The undersigned, constituting the Auditing Committee, respectfully report that we have examined the accounts of the Treasurer, and compared them with the vouchers.* We find them correct, and that the amount in the Treasury at this date is \$62.57.

Respectfully submitted,

F. L. SIDDONS,
JOHN W. ELA.

The report was received and ordered filed.

The President announced the business next in order to be the reception of reports from representatives of local Associations.

* Page 54.

Reports were then received as follows:

For New York State, Mr. Sherman S. Rogers, of Buffalo—

There is little to add to what the President said in his address last evening about the reform in the State of New York. It is making its way there surely but with occasional reverses. We must not expect to have favoring gales always. We shall have our ups and downs. Civil Service Reform will never be securely established till a generation shall have grown up under its teachings and the young men who are now coming into the life of the citizen have taken on the belief that the offices are to be acquired by personal merit and fitness and without regard to political influence and pull as naturally as the generations preceding them took on the opposite ideas. Just now the reform in our State has come into an extraordinary experience of good fortune in the election of a true Civil Service Reformer to the Governor's chair.

This follows something of a very different sort. When Governor Morton's term of office expired he left the law and the general rules and regulations in reasonably good shape, and a Commission, the dominating member of which was that tried and able friend of Civil Service Reform whom we know so well, Col. Silas W. Burt. His associates had been appointed from political life and for political reasons, and were not very active reformers, but our friends throughout the State felt very hopeful. The only element of doubt in the situation was the new Governor, who was an unknown quantity in the matter of Civil Service Reform.

You all know how he developed, and that, too very soon. The story of the Anti-Starch Bill need not be repeated. It was Governor Black's own and was driven through by him. It threw the civil service in the State into confusion, but in the cities its worst effects were averted by the appointing officers refusing to exercise the fifty per cent. power of examination, and turning it over to the local Civil Service Commissioners. But two years have passed and the *Starch* has disappeared from the Governor, and his bill was amended last winter so as to leave the examinations in the cities where they were before its passage.

And now, following Governor Black, we have as Governor-elect, a man who has been known for years as a Civil Service Reformer of the best type—able, sincere, intelligent, aggressive, combative. Col. Roosevelt's election may well be regarded as a fact of the highest importance. It has a national interest. He will give to the State of New York, I believe, a commission of his own type. And we are hopeful of the very best results.

For Massachusetts, Mr. Richard Henry Dana, of Boston.

During the year the Massachusetts Civil Service Reform League and the Associations of Boston and Cambridge, have repelled several attacks made in the Legislature by means of attempted amendments to the Civil Service statutes. The associations were taken by surprise, and were unable to present any opposition until after these measures had progressed several stages without their knowledge. The opposition when organized, however, was effective. In order to guard against the recur-

rence of covert attacks at the coming session, arrangements have been made for the employment of an agent at the State House, a reliable newspaper reporter, who will watch the proceedings of the Legislature and give immediate notice of matters requiring attention.

An effort will shortly be made to extend the operation of the law to the County offices within the State, which were excluded from the scope of the original Act of 1884, as most of the subordinates were then mere contractors with the registers of deeds and probate. By subsequent statutes these persons have been made regular employees of the county.

The Boston Association secured something over \$800 for the purposes of the National League, in reply to a circular sent to its members. The Cambridge Association raised for the same purpose about \$250, by sending canvassers among its members and other citizens likely to be interested in the same. An especial effort has been made to interest younger men in the purposes and work of the League.

For Connecticut, General William A. Aiken, of Norwich:

The fact that Connecticut contains no large cities, in the modern sense, and that so large a proportion of local administrators are elective rather than appointive, owing to the survival of its ancient town and school district jurisdiction contemporary with, but separate from those arising under its city charters, is adverse to the growth of militant local Civil Service Reform Associations.

While no comprehensive law exists making the open competitive test the basis for municipal appointments throughout the State, reformatory movements are now going on in several localities.

Some of these are of more interest to the League for Municipal Reform than, directly, they would be to ours; yet Civil Service Reformers must note with approval all movements for the general welfare within the cities.

The movement to which I wish especially to call your present attention is that in our largest city, New Haven. Under its new charter of 1897 sweeping provisions were made against corrupt and improper influences in elections or appointments, with the penalty of imprisonment for violation. Thereunder, no appointments can be made for political considerations, no questions can be put to applicants for positions, designed to disclose political or religious views, and applicants are forbidden to make known such views or affiliations to examiners. In scope the system embraces all positions in the city government, including the Police and Fire Departments, excepting elective officers, commissioners, officials appointed by the Mayor, and superintendents, principals and teachers employed by the Board of Education. It should be said, in passing, that the Mayor's appointive powers are very limited as compared with those of the Mayor of Greater New York. The charter creates a Civil Service Board, which has very broad powers. I am indebted to Prof. Henry W. Farnam, of Yale University, the very able president of this Board, for a summary of its workings, upon which I shall largely draw for what follows.

The present Board, supplanting one of very limited powers under the previous charter, consists of three well-known citizens, and, ex-officio, of the chiefs of the Police and Fire Departments. Immediately after its organization it drafted a complete set of rules, and has thus far held examinations for positions in the Fire and Police Departments, clerks, engineers, drawbridge tenders, janitors, etc., and also for promotions therein. Regarding the success of the system, the president of the Board expresses himself as confident that it commends itself to the great mass of city officials, if not to them all. The candidate passing the examination with the highest mark has, generally speaking, been appointed and has proved himself competent. The rules are, in general, similar to those adopted in New York, Boston and elsewhere, except that the classifications and examinations are adapted to a city of the size of New Haven.

The physical tests for members of the Police and Fire Departments are now conducted in the Yale gymnasium, by the director of physical training, thus saving the city the expense of a special examiner and apparatus for this purpose.

One excellent and novel feature that this Board has introduced relates to the appointment of special constables, to which office many unfit persons had previously been appointed by the Common Council. It having been ruled by the Corporation Counsel that special constables were subject to the rules of the Civil Service Board, they decided that, inasmuch as they were not paid by the city nor subject to the discipline of the Police Department, a formal examination would be absurd. A rule was made, however, exacting conformity with certain requirements as to citizenship, habits, etc., and providing that they must show some good reason, non-political in character, that there was ground for their employment. The appointing power as to special constables vests with the Police Commissioners, who have, in every instance, followed the recommendation of the Civil Service Board, and they have effectually weeded out the unfit.

The New Haven experiment will be watched with much interest in the smaller cities of our State, and excellent results may reasonably be hoped for through the labors of the painstaking and excellent Board which is furnishing so valuable an object lesson in our leading city.

It was announced that the Committee on Resolutions was prepared to report, and on motion the order of reports from local associations was suspended.

Mr. Cary, of New York, for the Committee on Resolutions, read the resolutions prepared, and moved their adoption.

Mr. Wyman, of Massachusetts, moved that the several paragraphs be considered seriatim, and the motion was lost.

Some discussion followed, during the course of which certain changes of language were suggested and accepted by the committee.

Mr. Watson, of New York, moved that the preamble of Resolution III be amended so as to state more definitely the fact that the terms of the Civil Service law had been violated in certain branches of the Federal Service. Attention was called to the fact that this was implied by the specifications contained in the resolution in question, and the motion was lost.

Mr. Montgomery, of Pennsylvania, moved that the vote on the motion to pass on the resolutions seriatim be reconsidered. A division being called for, there were 24 ayes, and 24 nays, so the motion was lost.

The resolutions were then adopted unanimously in the following form:

I.

The National Civil Service Reform League congratulates the country upon the entire failure of the attack on the merit system in Congress at the last session—a result due to the advancing sentiment of the nation and to the firm attitude of the President in that crisis.

II.

The League, however, has heard with concern the report that it is the intention of the President to withdraw important positions and classes of positions from under the civil service rules. We believe that such action, if taken, would be contrary to the interest of the public service, and we can but repeat the conviction already respectfully expressed to the President, that such changes would be accepted not only as a "step backward," but as proof that the system is not regarded by the present Administration as "here and here to stay," and would inevitably awaken doubts as to the sincerity of the repeated declarations of the party now dominant in National affairs that the law establishing it shall be thoroughly and honestly enforced and extended wherever practicable.

III.

There are none in the country who have wished more earnestly for the success of the present Administration in carrying out its declared principles with regard to the reform of the civil service, and none who have been more jealously anxious that in this particular its record should be consistent

and unimpeachable. The League, however, in the discharge of the duty of watchful and impartial criticism—a duty more than ever imperative at this critical period in the development of our administrative system—is forced to recognize certain grave departures, within the present year, from a strict observance of the civil service law and the principles underlying it. As to these, it can be shown by detailed evidence:

(1.) That the order of July 27, 1897, regulating the method of removal, has been violated in both letter and spirit in various branches of the service, and that in many localities the whole system of civil service administration has been discredited in consequence.

(2.) That in the Internal Revenue Service, and in the offices of United States Marshals, appointments have been made altogether in violation of the law, and that such appointments have been made openly for political considerations.

(3.) That appointments have been made in the same manner in the General Land Office, in the Forest Reserve force, and in other branches of the service of the Interior Department.

(4.) That through appointments and removals for political reasons the efficiency of the Indian Service has been seriously affected, and that certain of such changes have been made against the protest of those engaged most earnestly in the work for Indian improvement.

(5.) That the operation of the rules in the Pension Examining force has been nullified by an adroit system of evasion practiced by the Commissioner of Pension, against the protests of the Civil Service Commission, and of many prominent individual surgeons interested in the honesty and efficiency of this peculiar important service.

(6.) That in certain Customs Houses, and in the departments at Washington, many persons have been employed without examinations as "laborers" and assigned to various kinds of classified work.

(7.) That through these and other methods, the proportionate number of persons appointed in the classified service, under this administration, in full conformity with the civil service rules, when compared with the number not so appointed, has been materially decreased.

(8.) That hundreds of appointments to civil positions in the Washington offices of the War Department, and in certain bureaus of the Treasury, were made, during the recent war, without reference to the civil service rules, although the lists of the Commission contained the names of several thousand persons eligible for appointment, and within easy call; and, further, that the persons so appointed were in many cases illiterate and otherwise incompetent and unfit.

(9.) That changes in the Consular Service have been more sweeping than at any previous time, exceeding in number those made under

the preceeding administration, and amounting, in the salaried grades, to a total of 237 out of 272, or nearly ninety per cent. of the whole ; and that the system of non-competitive examination, established for certain grades of the Consular Service has been so modified as to be practically ineffective.

IV.

The League also calls attention to the fact that the pledge of the party now in power in the National government to "extend the system wherever practicable," is yet to be redeemed with regard to the assistant postmasters at free delivery offices, the fourth class postmasters, the force of the Congressional Library, the employees of the Census Bureau, the municipal service in the District of Columbia, and—by registration—the labor service, in all of which branches extension is not only clearly practicable, but urgently required.

V.

It is the profound conviction of the League that the rule of outlying dependencies by the United States would inevitably result in disaster and disgrace to the nation if conducted upon the plan of spoils politics ; and that success in such an experiment would be impossible without the strictest and most exacting application of both the spirit and method of the merit system.

The regular order was resumed.

Mr. Wood, of Philadelphia, reported for the Pennsylvania Association as follows :

The experience of our Association during the past year corroborates the statements made by President Schurz in his Annual Address to the League last night as to the demoralization in the United States service.

This began in the Post Office after the appointment of the present Postmaster. The attempts of that officer to evade the Civil Service Law became so notorious, and the complaints made to our Association were so frequent, that the President of the Association requested the aid of a committee of the National League to assist in an investigation which was made in the month of January, and a report was subsequently presented to the President of the United States, showing the result. While, so far as is known, no public action was taken, it came to the knowledge of the Secretary that the Postmaster received some intimation from Washington, which put an end to his attempts to ignore the Civil Service Law.

Later came the appointment of a new Collector of Customs, who, like the Postmaster, had been a man in active political life, and who had already shown his dislike to Civil Service Reform. Early in the Summer

complaints began coming to the Secretary of the Association from employees of the Custom House to the effect that men were discharged on the plea that there was not sufficient work for them to do, but that soon afterwards other men were appointed who did the same work, though in some cases their offices were given different titles. These complaints were laid before the United States Civil Service Commission, which instituted an investigation and laid several of the matters complained of before the Treasury Department, which, however, has either attempted to justify the action of the Collector or has ignored the complaints, and the Commission seems powerless to stop these proceedings.

At the December meeting of the Executive Committee of the Association information was laid before it to the effect that the Collector was making temporary appointments and upon the expiration of the period renewing these appointments for another temporary period instead of making appointments from the eligible list. One specific cause was mentioned—that of T. Larry Eyre, and it was said, in addition, as to this man, that he spent very little time at the Custom House, but was engaged mostly in collecting political assessments at the headquarters of one of the Campaign Clubs. This information came so direct that the Secretary was instructed to call the attention of the Civil Service Commission to the facts, and ask for a further investigation.

With regard to local conditions in Philadelphia, there is nothing new to be reported. There are still in effect the defective rules applying to admissions to the municipal service, and these have probably brought about the admission of a somewhat better class of men, but have not removed the service from politics.

A new Association has been started by a member of the Pennsylvania Association at Wilkes-Barre, and this organization has become a member of the National League.

It is the intention of the Association to again introduce a State Civil Service Bill in the coming session of the Legislature, but it is the feeling among reformers in Pennsylvania that the most important legislation to be sought for is a new ballot law, and as this Association started the agitation for the Australian Ballot System, it will probably take an active interest in the effort to have the present imperfect law improved.

Mr. Bonaparte then moved that the order of reports from local associations be suspended until following the reading of papers at the afternoon session. The motion was carried and the League then adjourned.

MUSIC HALL, December 16, 2.30 P.M.

The League reconvened at half-past two o'clock.

The following papers were read :

"The Murrain of Spoils in the Indian Service," by Herbert Welsh, of Philadelphia;*

"The Need and Means of Providing a Stable and Competent Civil Service for Our New Dependencies," by Dorman B. Eaton, of New York;†

"Can We Trust Our Army to Spoilsmen?" by Charles J. Bonaparte, of Baltimore.‡

The order of reports from local associations was then resumed as follows:

For Maryland, Mr. William Reynolds, of Baltimore:

The year which is now drawing to a close has not proved an eventful one for Civil Service Reform in Maryland. No legislation bearing directly upon the introduction of the Merit System into the State government has been enacted by the General Assembly which met in January, but that body did enact a new Charter for the City of Baltimore which, among other needed reforms, provided for a reorganization of the Department of Education, and for the nomination of all teachers of the public schools being made from graded lists, which are to be prepared by the Superintendent of Public Instruction and his assistants by placing thereon the names of all accepted candidates in the order of their relative qualifications, as ascertained by competitive examinations, which shall be open to all who desire appointment. If these requirements of the new Charter are faithfully carried out, the result will be the application of the Merit System to the appointment of all teachers of the public schools of Baltimore City, a consummation most devoutly to be wished for.

The coming into power of the Republican party, which was, in a large degree, attributable to the abuses of the Spoils System under its predecessors, has had the usual effect upon the spoilsmen of the victorious party in stirring them up to denounce most vigorously what they are pleased to denominate "Civil Service;" but the result of the election last month for Congressmen, by which the Republican plurality in Baltimore City of over 17,500 at the Congressional election of 1896 was reduced to very little more than 500 in 1898, has been calculated to throw somewhat of a damper upon all vaporings of this description, and has encouraged many good citizens to hope that the uncertainty of the result will put both political parties upon their good behavior, so that

* Page 83.

† Page 73.

‡ Page 98.

the coming municipal election in the Spring may be controlled by independent votes cast in the interest of honest government rather than by the cohesive power of public plunder manipulated by the rival machines.

This association has, like many of its sister members of the League, united in a vigorous protest against any action being taken by the President to reduce the area of the competitive system, which it would regard as a backward step in a great reform, the value of which is becoming day by day more thoroughly appreciated by the great body of the American people.

For the District of Columbia, Mr. F. L. Siddons, of Washington.

As may be remembered, in the last Congress, the Civil Service Reform Association of the District of Columbia procured the introduction of a bill, which had for its object the extension of the provisions of the Civil Service Law to the municipal government of the District of Columbia. The bill was introduced in both Senate and House and referred to appropriate committees, and a hearing was given representatives of our Association, the Board of Trade, and other organizations, by the committee of the House of Representatives, to which the bill was referred, but we did not succeed in having the bill favorably reported. The chairman of the committee, Mr. Brosius, frankly told representatives of the local Association that the bill would, if reported to the House, simply provoke a fight, which it was his belief the best interest of the reform should not hazard at that time. In the present and last sessions of Congress, the hostility towards the cause that we represent has been so pronounced that to ask for consideration of our bill was simply to invite defeat, and the Association has deemed it wise not to press their measure at this time. It is undoubtedly true that the District Commissioners, who constitute our local government, have the power to adopt any regulations that they please affecting the appointment to, promotion in, and removal from office, so far as the employees of the District government are concerned, but this they have never done, for the reason, as it is believed, that they would be constantly asked to make exceptions or to ignore their regulations by members of Congress, who do not hesitate to make it a *sine qua non* to District appropriations that their demand for offices in the local government should be recognized. The President also could indirectly exercise a power in the matter of such regulations by requiring persons whom he was about to appoint as Commissioners to pledge that they would make such rules and regulations and adhere to them, or to remove Commissioners who refused to carry out such a wish if expressed by him. It is sufficient to say that no President has ever taken this position. Our hope is that at no distant time, we can go to Congress for the needed legislation, with the hope and expectation that our wishes will be gratified.

For Ohio, Charles B. Wilby, of Cincinnati.

There is but little that I can say as to the progress of our cause in the State of Ohio, and in that little there is not much good news.

As you will remember, our first Civil Service bill failed to become a law at the session of the Ohio Legislature held before the last meeting of this League. The member of that Legislature to whose efforts the defeat of the bill was chiefly due, has been rewarded, for this and other services to him who dispenses the political spoils of southern Ohio, by a seat in Congress.

At the next session of the Legislature, we introduced a second bill. The first had been prepared after the Chicago plan, with no State Commission, covering only the Civil Service of four or five of the larger cities, whenever the voters of such cities should ask to have its provisions applied to them.

We had adopted this plan, notwithstanding the advice which we had received from our friends of the Home Office at 54 William Street, as well as from other friends in the East, that we should follow the plan of the New York and Massachusetts laws, because the Legislature of Ohio at that time was having a spasm of economy, and we determined to go to the country members with a bill which would impose no expense upon the State at large; so that we could say to them: "Here is a bill which only touches the Civil Service of the larger cities, where it is most needed, and which takes nothing from the State Treasury." Our hopes thus to escape the opposition of the country members were realized too well. They not only did not oppose our bill, but they declined to take any interest in it and turned it over to the tender mercies of the delegations from the larger cities which were controlled by spoilsmen who realized that the passage of the bill meant the end of their power, and by them it was killed. Our first bill had been prepared by the Cincinnati Association. Our friends who are represented here by Mr. Cushing, had preferred a bill providing for a State Commission, so that when we came to prepare our second bill, the Cincinnati idea as expressed in the original bill was abandoned and a bill on the State plan was introduced at the next session of the Legislature which met soon after the meeting of this League held in Cincinnati a year ago. The effect of that meeting had been very marked in arousing general interest favorable to our cause, not only in Cincinnati, but throughout the State.

Those of you who were at the dinner which closed that meeting, will remember that there were present the entire Legislative delegation from our County, who then were able to hear the gospel of our cause as it is preached by its best expounders. When the Legislature met, we entered upon the work of securing the passage of our bill filled with hope. The first business the Legislature undertook was the election of a United States Senator, and the feeling which that contest aroused disturbed all of our arrangements, so that we were never able even to get the bill to a vote during the session.

Since that time two new Associations have been formed in Ohio, and we expect to get together again and to agree on a new bill, probably on the plan of the last, with a State Commission, and shall introduce it

at the next session of the Legislature and do what we can to have it passed, and shall continue to introduce such a bill at every succeeding session of the Legislature until we have secured this indispensable aid to good government in our State.

For Illinois, Col. John W. Ela, of Chicago:

The vicissitudes experienced by the Democrats in Cook County at the last election will probably not encourage them to repeat the blunder of putting an anti-Civil Service Reform plank in their platform. In an "off year," when any kind of an opposition party is generally successful, they lost most of their county candidates by decided majorities. The only ones elected were two judges and one assessor, who succeeded only because they were tried men, were satisfactory to the public and were endorsed, the judges by the Bar Association, and the assessor by the Real Estate Board Committee; while the leader of the avowed enemies of the law, whose campaign was run expressly on that issue, was not only defeated, but received the smallest number of votes cast for any candidate on the ballot. Such legislative candidates as they elected were in districts where they were always elected, regardless of the platform, and this year their old majorities were considerably reduced.

This plank was probably put into the platform to catch the votes of the "gangs" and the incompetents of both parties; and it undoubtedly did catch some of them, although it is now claimed that some of them were too utterly incompetent to comprehend that by voting the Democratic ticket they might get rid of the law altogether and so they did not vote at all. But that a much larger number of their best men voted against the ticket on account of this plank the result shows beyond question. It was claimed by some of the leaders that the existence of the civil service law lost them many votes. Their explanation of this phenomenon constitutes one of the strongest arguments in favor of such a law that I have ever encountered. The explanation was, that, in some of the Democratic wards, many voters, knowing that they could not pass the examinations provided in the law were "tired of the civil service law," and so refused to vote. Could there be any more conclusive proof of the success of the Civil Service Reform legislation in this county? Here is a law passed for the purpose of excluding from public employment those men who are incompetent to perform the duties of the position; and in the fourth year of its history a considerable number of this very class of men "throw up their hands," so to speak, admit their incompetency, and the futility of further attempts to loot the city treasury. It is not quite the same as if the inmates of the State penitentiary should pass resolutions denouncing the laws against larceny and expressing their intention to abandon their perennial fight with the police force and the deputy sheriffs, but the elements of encouragement to the so-called reformer would be somewhat similar in both cases.

It will not do to say that the complaint of these tired voters is based upon the unreasonable examinations required by the law and not upon their incompetence, for the requirement of the law is that the examina-

tions "shall be practical in their character and shall relate to those matters which will fairly test the relative capacity of the persons examined to discharge the duties of the position to which they ask to be appointed;" and the enforcement of this law, the character and conduct of the examinations, is absolutely in the hands of the city administration; the leaders of which are making this highly satisfactory statement of the effect of the proper enforcement of the law.

Of course, this statement involves a direct compliment to the administration. It assumes that the law is being properly enforced in Chicago. And I believe that the compliment was intended; for some of these gentlemen believe in the law, and favor its enforcement notwithstanding the disagreeable effects of which they complain. And I believe that some of them are endeavoring to enforce the law, under circumstances so discouraging, from the standpoint of the average politician, that their action seems almost heroic.

The circumstances are, briefly, these: The bill was passed by a Republican legislature just before the commencement of a Republican city administration; it was adopted by the city at the same election which put that administration in power; and yet, instead of putting in immediate operation the law which their party had enacted, and the people of the city so emphatically demanded, they, taking advantage of a three months' option in the law, postponed its enforcement until most of the places had been filled by Republicans, under the old system. So that when the present administration came into power it found nearly all the offices and places held by Republican political workers, and a civil service law on the statute book, passed by a Republican legislature, and which has been in existence for two years, during a Republican city administration. It is true that an excellent Board of Commissioners was appointed by this administration who did admirably such work as was given them to do, and made a set of rules, to be executed by a Democratic administration, which were so nearly perfect that they have remained almost wholly unchanged up to the present day.

There was certainly nothing in the moral or political aspect of the situation to encourage an incoming Democratic administration to undertake a rigid enforcement of this law, the spirit of which had been substantially repudiated for two years by the party which claimed the credit of its enactment. By any ethical standard which has obtained in Cook County politics since the time when the memory of man runneth not to the contrary, the new administration would have been justified in "throwing down" the law, at least until it had "evened up" the political complexion of the City Hall. An opposite course would be regarded by the local politicians of both parties as an attempt to inaugurate a theory of political ethics much too fine for common use.

It is probable that some of the leaders in the new administration, and many of their followers, took this view of the situation, for they have persistently disregarded the law and obstructed its operation from the first.

On the other hand, the mayor and the heads of some of the principal departments, notably the departments containing much the largest

proportion of the city employees, are business men who know the value of the merit system and who believe in the necessity of its application to city affairs and the conscientious execution of this law.

It will appear in the annual report of the Civil Service Commissioners next month that seven thousand two hundred and seventy persons have been examined and certified for appointment, under the law, during the past year; and something over ten thousand since this administration came in. It will also appear that three hundred and seventy-five examinations have been held so far in this administration, and that only fifty-nine remain to be held. These fifty-nine examinations are required in order to cover the positions of that number of "sixty day men," and will be held before April first, after which, as the report will show, there will be no sixty day men (men holding temporary appointments) in the city service.

The Supreme Court of Illinois has sustained the civil service law in all its important features. This court is composed of eminent lawyers, some of them from sections of the State where the doctrine of Civil Service Reform is as unfamiliar as the Hebrew language. Every objection that a sleepless hostility could frame has been hurled at this court in the last two years, and, without regard to previous condition of political servitude or present considerations of political policy these judges have unanimously confirmed the constitutionality of the law, both State and National, and approved its principle and its scope. So comprehensive and so well-reasoned are these decisions that I predict their adoption by the Supreme Court of the United States whenever a civil service law reaches that tribunal.

The latest decision of the Illinois Supreme Court (rendered within the last few weeks) puts the employees in the four important offices of the City Clerk, City Collector, City Comptroller and City Treasurer, under the provisions of the act. To the surprise of the friends of the law a decision appeared in the morning papers one day, rendered by two Judges (of the Circuit and Superior Courts) holding that these four offices are not covered by the law. This decision appeared to have been made in a "submission" case between the incumbents of two of those offices. The Civil Service Commissioners, notwithstanding this decision, immediately instituted proceedings in the Supreme Court to test the question, and that Court has decided that the offices in question are covered by the law, and has issued a writ of mandamus commanding these officers to follow the provisions thereof in the appointment of their employees. Since that decision examinations have been held, and the vacancies in those offices have been filled, under the law.

There will be, probably, a decision soon in the case brought by the Civil Service Commissioners, and now pending in the Supreme Court, to compel the Board of Education to come under the provisions of the law.

For St. Louis, Mr. Albert L. Berry:

I come from a city which was settled by the French, is inhabited by Americans, guarded by the Irish, and ruled to-day by the Germans.

You see how difficult, yet how necessary that such a city should have Civil Service Reform. The organic laws which form the frame work of our city government, emanated from a party of freeholders, about a quarter of a century ago, and are known as the Scheme and Charter of the City of St. Louis, which placed our city in the hands of its own people, free from the interference of State Legislature or State officials. All amendments to our City Charter must be recommended by its legislative bodies, and receive the approval of the people at a special election.

As there were to be submitted last Spring a number of amendments to our City Charter, a movement was inaugurated by the Civic Federation, early in the Winter, to have an amendment known as the Merit System Amendment, submitted with other amendments, then in the hands of the Council, to a vote of the people.

A Citizens' Committee was formed, composed of such representative bodies as the Merchants' Exchange, the Business Men's League, the Central Trades and Labor Union, the Commercial Club, the Civil Service Reform League, and some twenty other bodies, representing every commercial, industrial, civic and social organization of prominence in the city. An amendment was drafted under the supervision of Mr. Henry Hitchcock, whom you all know rocked the cradle of Civil Service Reform in this country, has been godfather to its principles and godmother to its needs.

The amendment was submitted to the City Council, and while we waited for the decision, as to whether that body would allow the people to vote upon a question, which by voice, petitions and resolutions, they had so strongly appealed, a good deal of work was done, especially among the trades and labor unions, who saw at once its need and benefit, and rendered us valuable and efficient aid. By their assistance and the assistance rendered us by the business men, in allowing our literature to be circulated through the medium of their pay envelopes, and by the aid of the press and the mail, we were able to make known to almost our entire reading population, what was meant by the Merit System, and the needs and benefits to be derived by its adoption into our City Charter.

Both bodies of our Municipal Assembly had recently been elected by quite large majorities, and thought themselves so strong that they could defy public opinion, and carry any measure they desired. Both of these bodies refused to allow the Merit System Amendment to be submitted to a vote of the people; but the amendments which they did submit were so dangerous and oppressive, that we would have been placed in the awkward position of having to defeat our own measure if it had been submitted, as we could not have supported our own amendment in company with those submitted, for fear of passing both. When the amendments the Council did submit came before the people for adoption, the Citizens' Committee opposed them, and made a vigorous fight against their adoption, and they were defeated by a vote of three to one. The Merit System has now become so well known and endorsed that I am confident that at next Spring's election, when six new members are elected to the Council and a new House of Delegates is chosen, that new amendments will be submitted to the people which all

citizens can endorse, and you can rest assured that any amendments to our Charter, which will receive sufficient support from our people to be adopted, will embrace the amendment known as the Merit System.

For Harvard University, Mr. F. C. Sutro.

The Civil Service Reform Club of Harvard University differs from those organizations from which we have just heard such gratifying reports, in that, unlike these, it has no immediate field for action; but must devote its efforts solely and purely in the line of education. This object, however, may not be overlooked. Harvard University, ever first in accomplishing the immediate purposes for which men visit her, tries also to be first in keeping them in close and continuous touch with the things that are going on in the world about her. In line with this policy, the Civil Service Reform Club was founded about five years ago, remained for a year or two in a flourishing condition, and then, partly through lack of sufficiently large membership, partly through the adoption of an inefficient and unprogressive policy, gradually, I regret to say, fell into insignificance. This year, however, several members of the class of Ninety-nine have taken up the cause energetically, and the presence of a delegate in this impressive assembly is the best evidence of their success that I can offer. We hope in the course of the year to restore the organization to its original vigor.

Mr. Murray Nelson, Jr., of the Chicago Citizens Association, reported as follows with regard to legislation in the matter of civil service reform, successfully conducted by that organization and other relevant matters:

Illinois may well be proud that she is among the very few States having a merit system in municipal government. The Illinois Civil Service Law has this year survived the combined attack of its whole souled enemies and its half hearted friends. The law has been sustained by the Supreme Court of Illinois in an opinion of the greatest scope and completeness, which, upon review, the Court at Washington did not disturb. An interpretation has been given of value to all students of the subject.

The Citizens' Association of Chicago, which I have the honor to represent, through the able and efficient Attorney-General of Illinois, Mr. Edward C. Akin, is entitled to all credit for its expenditure of time, money and energy in this cause. They succeeded in Chicago where the present municipal authorities are either the avowed opponents of the Merit System or its timid friends.

The present Mayor at the earliest opportunity removed without cause the very excellent Civil Service Commission selected by his predecessor and appointed a new commission, who proceeded to "interpret" the law in accordance with the opinion of the Mayor's Corporation Counsel, a zealous and sincere advocate of the Spoils System, to the end that the unclassified list of the City of Chicago might take in as many active spoilsmen as possible. This interpretation the Illinois Supreme Court has swept away.

No ideal situation has been realized; the Merit System is young and the spoils system is very old, but it has been fairly demonstrated in Chicago, at least, that vigorous action, strict and just interpretation of the law are not damaging to the cause of Civil Service Reform.

A rightful law however unpopular at the outset, if properly and strictly enforced makes hearty friends. Lax enforcement and loose interpretation may avoid the antagonism of enemies, but active friendship in a cause like this far outweighs the advantage got by concessions to the enemy. This statement may seem inconsistent with practical politics. We are advised not to seek enforcement of the Civil Service Law lest it be repealed. I for one believe that the advocacy of the Merit System is part of the most practical politics. The result of the November election in Chicago tends to sustain this belief.

In that election the democratic platform contained the following language: "We pronounce the present civil service law inefficient, mischievous and hostile to the regnant principles of popular government. The enforcement that this law has had in Cook County has abundantly proved to us that it greatly adds to the burdens of the taxpayers, destroys the sense of responsibility in the heads of governmental departments, tends to create an official class to the exclusion of other equally deserving and capable citizens and utterly fails to secure the best men for public service. We believe that the people should be allowed through the ballot to select officers who shall be wholly and unqualifiedly responsible to the electors for success or failure in their several offices; and believing that this law, an exotic imported from monarchic governments beyond the seas, prevents such responsibility, we demand its repeal."

The Republican platform condemned the City administration for its "palpable attempts to evade the provisions of the Civil Service Law."

After the election, Mayor Harrison, one of the party leaders in Illinois, in an interview published in several Chicago papers, ascribed the defeat of the democrats to the Civil Service Law, which, he said, had prevented the rank and file, who were too ignorant to pass examinations, and so were without hope of holding office, from taking an interest in the election. This from an opponent of the Merit System is perhaps as good an argument for it as the most ardent advocate could wish.

The people are for the Merit System and whenever the people vote they vote for it. The people in Chicago voted for its adoption by a majority of two to one. The small politicians are hostile, but it has been demonstrated often enough that the people outvote the small politicians. The small politicians in their caucuses and ward clubs may declare the Merit System unAmerican, monarchical or hypocritical, but to take their declaration as expressive of the popular will is the narrowest and stupidest politics.

I believe in practical politics, and I believe also that the most practical politics consults rather the many who do not seek public office than the few who do.

Mr. William E. Cushing, representing the Cleveland Chamber of Commerce, reported respecting the recent activity

of that body in the movement for the reform of the Consular Service as follows:

Last year the Cleveland Chamber of Commerce passed resolutions expressing its desire that the Consular service of the United States should be put on a merit basis, and requesting Congress to take action in that regard by passing either the Lodge bill or the Morgan bill, or some other equally effective measure.

About two weeks ago the directors of the Chamber reaffirmed these resolutions and sent delegates to Washington to urge affirmative action on the part of Congress and of the administration. The delegates were courteously received by the President, and are now taking steps to obtain an opportunity for a hearing before the House Committee on Foreign Relations.

Our action has attracted public attention to a degree that we did not anticipate. A good deal of mention has been made of it in the press despatches and in the editorial columns of newspapers, and letters are beginning to come to us from other chambers of commerce saying that they have heard of our action, and that they approve of it and propose to imitate it. If the business organizations of the country will seriously undertake to impress upon the authorities their wish that this reform, so important to the business interests of the country, be instituted, it may be that something will be accomplished sooner than we expect.

Hon. John R. Procter, President of the United States Civil Service Commission, responding to the invitation of the president, then made an informal address, in the course of which he read to the League certain highly interesting extracts from advance sheets of the annual reports of bureau officers, testifying to the value of the merit system in technical branches of the service. Mr. Procter stated that the commission has met with difficulties in conducting its examinations only in those branches where the officers in control have shown their hostility to the system, and failed properly to co-operate in the preparation of the necessary tests.

At the conclusion of the regular order, Mr. Potts, of New York, moved that the cordial and grateful thanks of the League be extended to the Civil Service Reform Association of Maryland, and to the ladies of the Arundel and Arundel Good Government Clubs, for the courteous and generous hospitality extended by them to the visiting delegates during the period of these meetings.

Mr. Wilby moved that the same acknowledgment be made of the hospitality received from Mr. William Keyser, of the Maryland Association.

The motions were carried unanimously.
The League then adjourned.

Attest :

GEORGE McANENY,
Secretary.

On the evening of the 16th, the visiting delegates were entertained by the Civil Service Reform Association of Maryland, at a dinner given at the Hotel Rennert. Mr. Charles J. Bonaparte, President of the Association, presided, and addresses were made by Carl Schurz, of New York; John R. Procter, President of the United States Civil Service Commission; Representative James R. Fleming, of Georgia; Representative W. H. Gillett, of Massachusetts; and William Dudley Foulke, of Indiana.

ANNUAL REPORT OF THE TREASURER.

Balance on hand, Dec. 16, 1897, \$366.13

RECEIPTS:

Subscriptions from members of the Pennsylv-			
	ania Association....	\$1,118.00	
"	" Boston "	814.00	
"	" Cambridge "	239.65	
"	" Newton "	50.00	
"	" Massachusetts, Miss....	285.00	
"	" New York Association..	320.00	
"	" Cincinnati "	545.00	
"	" St. Louis "	45.00	
"	" Chicago "	50.00	
"	" Washington "	75.00	
"	" Buffalo "	95.00	
"	" Norwalk "	65.00	
"	" Baltimore "	168.00	
Pamphlets sold.....		16.12	3,885.77
			<hr/> \$4,251.90

DISBURSEMENTS:

Salary of Secretary.....	\$1,687.50	
Clerk hire.....	690.50	
Rent of office.....	150.00	
Printing.....	564.95	
Postage and stamped envelopes.....	213.88	
Travelling expenses.....	385.80	
Office Expenses, miscellaneous.....	169.70	
Paid F. E. Leupp, on account of <i>Good Government</i>	100.00	
Expenses of Investigating Committee.....	227.00	4,189.33
		<hr/>

Balance on hand, December 15, 1898..... \$ 62.57

E. & O. E.

A. S. FRISSELL,
Treasurer.

Colonial Administration: A Warning From Spain.

BY HENRY HAYWOOD GLASSIE.

Flushed with joy and gratitude at the prospect of empire beyond the sea, Spain hastened to add to the newly granted arms of the discoverer, the lofty and sonorous legend—

*Por Castilla y por León
Nuevo Mundo halló Colón.*

The simple Saxon name of our Admiral of the Indies does not lend itself to verse. It may be said of him, nevertheless, that he found for America a new world. For it is to the victory of Manila, coming with such dramatic force from the end of the earth, that we owe the new passion for empire which has already extended our sway over Porto Rico and the Philippines, and is stretching out our hands against Cuba herself.

It is idle for advocates of imperial expansion to run back from precedent to precedent—Alaska, California, Texas, Florida, Louisiana. Why not Tennessee, Kentucky, Michigan? For all of them were alike parts in the orderly development of our destiny on this continent. The settlement of Texas, no less than the settlement of Tennessee, was a stage in the expansion of our vast democracy over the free land of a virgin world. Both belong to the history of the Frontier, in which we are beginning to recognize the history of the Nation. But neither is a precedent of Empire.

The idea of empire, which has every where transcended the idea of nationality, has come in modern times to signify, above everything else, dominion beyond the sea—"dominion over palm and pine." It brings to our minds distant lands,

strange speech, foreign faces. Its outward signs are "far-called navies,"

" Or embassies from regions far remote,
In various habits."

Nothing but these can give that strange expansion of the national consciousness — that sense of a people called to rule—which is the secret of the true imperial passion.

We shall have to date our titles, then, from the battle of Manila. Thenceforth we enter a new world; a world of new races, new manners, new customs, new tongues; a world of provinces and the governors of provinces.

In the difficulties and perils of our novel situation, it would seem that much might be learned from the experience of Spain herself, the last fragments of whose colonial domain are to be the corner-stones of ours. It is not, of course within the scope of this paper to review the history of Spanish colonization, even if the subject did not require an equipment which I do not possess. Nor is it my intention to enter into the controversies between Spain and her rebellious subjects. My object is simply to present, from sources either official or at least not unfriendly to Spain, some aspects of her rule in Cuba, which, it seems to me, disclose the indispensable basis for a sound and vigorous colonial administration.

I take Cuba as an example rather than Porto Rico, partly because it is better known to us, and partly because Cuba, owing to the wide difference in the economic and social organization of the two islands, shows more completely than Porto Rico the operation and effect of the Spanish colonial system.

In a memorial upon the state of Cuba addressed to the Spanish Government in 1850, Governor-General Concha sketched with admirable skill the causes which had within a few years wholly transformed the social and political life of the island. The abolition of the old colonial system, the opening of the ports to the world's commerce, the consequent influx of foreigners, the rapid progress in wealth and civilization, the new contact with the outside world, and particularly with the great democratic community of the West—all these, he said, had combined to awaken new desires, new ambitions and moral needs which, being unsatisfied and even thwarted by the government, were everywhere creating an

irresistible current towards separation from the mother-country.

One thing, indeed, he continued, might have counteracted this tendency—"a sound, upright and enlightened administration." But alas! the defects, the grave and scandalous abuses, the immorality of that very administration had done more than everything else to infuriate Cubans, to exalt their ambitions and to make them look forward to the inevitable rupture with confident satisfaction rather than anxiety. The prestige of the mother country was being destroyed. The judicial officers, taking advantage of a vicious fee-system, were making the very name of justice odious by their insatiate rapacity. As a single example, the advocates and assessors of the revenue had managed, within a few months after taking office, to secure as private perquisites 30,000 or 40,000 pesos from trial fees alone; digging out of the files and reviving for that purpose suits long since abandoned and forgotten. To make things worse, these officials were being replaced at shorter and shorter intervals. Not content with the old profits, the new men were bent on making as much in two years as their predecessors had in twelve. The civil government presented the same distressing and disheartening spectacle. The deputy governors were men appointed through influence and favor rather than for any merit or fitness for the task. They brought to their posts in general a strong desire to get rich; this was indeed the sole purpose for which most of them had come to the island. With superiors like these, it was needless to comment upon the subordinates. Things were drifting speedily towards a violent and ruinous catastrophe. "When a people," said the General, "see in their rulers, nothing but an everlasting purpose to advance their private fortunes in complete disregard of their duties, they will seize the first means which misery offers to free themselves from the society which oppresses them." What must be done, then, to restore the ancient prestige of Spain and regain the loyalty of this people, bound to her even yet by ties of kindred, faith, speech, and the tradition of a common glory?

"Now is not the time in my opinion," concluded General Concha, "to start any political question. . . . The urgent thing is to enter heart and soul into administrative reform and the right choice of employees for every branch."

Twenty years after these words of warning, the island being on the verge of bankruptcy and economic collapse, Señor Mariano Cancio Villa-amil was sent as Intendant of the Treasury, upon a special mission to reorganize the Cuban finances. Two months after his arrival he wrote to the Minister of the Colonies: "The hopes born of my good intentions I doubt now whether I shall be able to realize. In my staff I have hardly a man who is intelligent and who inspires confidence. . . . Everything must be reorganized, or rather created anew. The task is immense."

The language of his subordinates was equally strong. "I proceed next to report," says the Chief of the Division of Account in the Central Bureau of Inland Revenue, "the present state of general administrative Account in this bureau. It is nothing at all. There is no Account—*no existe contabilidad*." We learn from the same sources that there was hardly an office in the whole administration having a clerk who knew enough double entry to keep the books in the manner required by law. The Chief Administrator of Taxation and Statistics wrote: "It was well known what was the state of this office when I took charge of it. The force was then altogether new. Within two months that force was succeeded by another. While the office as a whole has suffered two complete changes of personnel within six months, the position of Head of the Custom Division has in that time been filled by four different persons, not one of whom remained in office two months together or had any opportunity to show either his industry or his fitness."

Writing again to the Colonial Minister, Señor Villa-amil exclaimed: "The original cause of the calamities which afflict this province can no longer be a mystery to any one. It is the vices of the Administration. They are the only enemies working to drive asunder the island and the motherland."

It must not be supposed that the home government was altogether oblivious to these dangers or to the representations of men like Concha or Villa-amil. Voluminous memorials, reports, ideas and projects of reform, (if there is anything a Spaniard likes it is an *idea* or *proyecto*), attest the activity, not only of individual administrators, but of various boards and commissions. But the report and the project, when the exi-

gencies had passed which gave them birth, were left to gather dust in the archives of the Colonial Office, until, at some new crisis, they would be dragged forth to become, in turn, the material for a new report and a new project.

Then, too, enlightened and conscientious governors, before Concha and after, endeavored to initiate reforms by their own authority. But these were of necessity personal and transitory.

Even radical changes in administrative method, such as the substitution of fixed salaries for judicial fees or the payment of salaries to the previously unpaid *capitanes de partido*, were stripped of their natural and expected effect. Because these latter places, for example,—as we learn twenty-odd years afterwards from Brigadier Acosta y Albear,—continued to be granted, for reasons of favor and patronage, to men without capacity or experience, who sought in the office not only a temporary livelihood, but an opportunity to accumulate, by fair means or foul, money enough to maintain them for the rest of their lives.

Any conscientious bureau chief who set about putting his own house in order would find, too, that before he could make any headway the employees who were, if only for the time being, giving better results, would be swept away by a new flood of office holders from Spain, for whom the necessities of politics had demanded posts of honor or profit.

All this was, in fact, treating the symptom and not the disease. If, in coming to the country of the *Swag*—where nobody came for his health—one left off one's shame at Cadiz (for so we may Anglicize some of the cant phrases of the official thieves' jargon), there must have been something on the Cadiz side which made the undressing business easy, if indeed it was necessary at all.

"When we consider," wrote Señor Villa-amil to the Minister of the Colonies on the 27th of May, 1873, "how political parties have been compelled, especially since 1840, to distribute political posts to their henchmen, regardless of character or intelligence, it will be easily understood how are formed these battalions of employees, without training, without capacity or morals, who paralyze instead of aiding the transaction of public business."

We discern a familiar political phenomenon: that revival

of office tenure by personal service which may be termed, not inaptly, the recrudescence of Feudalism. Political Feudalism—the very phrase is Villa-amil's. And for fear that I may be thought to read into it ideas drawn from our own vivid experience I shall leave him to explain its meaning in his own words.

"It is the ruthless and irresponsible power exercised by the influential multitude of the dominant party, who surround every politician, carry him into office and tear him down when he is no longer able to glut their insatiable appetite for spoils. . . .

"This is the force which every year makes the national budget the objective of ardent aspirants, organized like an army corps, who, when victory has made it theirs, will divide it round as the spoil of war—or rather, looking on it as the legitimate profit of an enterprise more commercial than political, will issue it in shares like dividends of a joint-stock company.

"To nothing else is due the eager haste with which, at each change of government, the public offices are given over to pillage, that each applicant speaks of his 'right' to such and such an office—a right founded on the friendship of the persons in power; and that every aspirant bitterly denies that anybody else deserves the office he gets—in which point it is quite possible that most of them are right." . . .

"As the supply of higher posts is not equal to the voracity of the 'persons of influence,' whose demands grow just as fast as the demoralization becomes evident, there arises the necessity of making a monopoly of the electoral districts. To accomplish this all places have to be conferred upon the persons designated by the representatives. As the ministers of the day almost always yield meekly to this exigency, the upshot of the business is that they simply hand over the administration entrusted to them to the tender mercies and kind offices of their 'influential' friends."

In the midst of a political society infected with this deep organic disease, Spanish ministries went bravely on talking about reform for Cuba and tinkering at the machinery of her administration. The ten-years' insurrection had indeed been a sore trial; but its close was to be marked by a shower of

golden decrees, ushering in a spring-time of reform. Everything was to move henceforth in harmony with what was known in Spanish statecraft as the "great principle of assimilation." This consisted in treating, or pretending to treat, Cuba and Porto Rico in all things, political and administrative as well as civil and social, just as if they were, in fact, integral parts of the Spanish peninsula. Apart from the consideration that much depends on what you are assimilated to, we may be permitted to doubt whether this great principle, however just and beneficent in the matter of civil rights and social advantages, for which it had, indeed, been originated—whether this great principle, I say, could ever have satisfied the natural desire of the Cubans to control the legislation and administration of their local concerns. What they wanted was not to share in the government of Spain, but to do a little governing on their own account. In obedience to this principle, however, the civil service of the Peninsula and that of the Colonies, hitherto distinct, were, by a decree of September 20th, 1878, consolidated into one service, the members of which were to be eligible indiscriminately for appointment at home or in the colonies. This act embraced the officers of the civil and economic administration, public instruction, and the ordinary courts of justice, every one, in fact, belonging to what are known as the civil careers. The most obvious result of this consolidation was that government being given a freer hand in the choice and transfer of preferred employees, all desirable places in the colonial service would continue to be filled from the Peninsula, in spite of the promised admission of Cubans and Porto Ricans to public employment. As an offset, to be sure, the Cubans might eventually have the satisfaction of seeing some stray Cuban mount to a solitary eminence in the service of the Peninsula. To add to the facility of transfer, it was further provided in the third clause of the act that employees serving in Spain should be eligible for appointment to the next higher grade in the colonies without having completed the term of service requisite for such promotion at home.

The burst of activity which produced this singular effort "to secure and strengthen the unity of the fatherland," and similar attempts at political re-organization which do not concern us here, was soon expended. Spanish colonial government

relapsed into its traditional slumber; while the forces of insurrection, temporarily exhausted by the ten-years' struggle, again steadily gathered head.

At length, in May, 1890, a decree was passed reorganizing the Cuban civil service and regulating the method of appointment. The higher officers, heads of departments, bureaux and the like, and the judiciary were left to the appointment of the Minister for the Colonies. All employees in the five grades of the classified service receiving over 300 pesos per annum were to be appointed by the Governor-General of the island upon the proposal of the chief of the bureau in question; notice of the appointment, with evidence of the appointee's qualifications, to be sent to the Minister for the Colonies. For entrance to the fifth or lowest grade it was necessary, in addition to a two years' residence on the island and a minimum age of 18 years, that the candidate should (1) have filled an office of the same grade in the central or provincial administration; or (2) have held a clerkship with same qualifications and received for four years a salary of 300 pesos in Porto Rico or the Philippines or 600 in Cuba; or (3) have received the degree of A. B. or a professional diploma.

The provisions of this decree were confirmed in the belated autonomous constitution of February, 1897, as well as by the more extended one of the following November. It is, I believe, substantially the fundamental regulation of the civil service.

Of the political side, it worked a decided gain for the Cubans by increasing the appointment of residents and ex-residents. It is said that four-fifths of the offices, if we include all branches of the service, are held by Cubans. On the administrative side, although it restored in a measure the distinction between the peninsular and the colonial service, its effect was to make the fundamental regulations uniform in both and further to assimilate the service of the Island to the service of the Peninsula.

In this connection two things are particularly worthy of note, one relating to admission, the other to promotion, in the Spanish service. It will be observed at once that the only requirement for entrance to the Cuban service, except where the applicant has already served in the Peninsula or another colony, is that he shall have received the A. B. degree. In

other words, it establishes a pass test. Now, it is needless to remind this audience that, if experience proves anything, it is that a pass test—particularly when the judgment of qualification rests with the appointing power—is wholly useless for the purposes of Civil Service Reform. It is wanting in the first element of reform, namely, that the method of appointment shall be, in a sense, automatic and thereby independent of personal considerations. It is wanting as well in the first element of a merit system, namely, that the candidate shall show his fitness in comparison with the fitness of others.

It was idle to talk of reform when the only limitation upon the discretion of the appointing power was that choice was restricted to that class of society which might be expected to have the greatest extent and variety of "pull."

The second point to be noted is a practice which is a cardinal rule in the Spanish civil service. It is the alternation, or turn of selection, in promotion, every other vacancy being filled not by seniority, but by discretionary choice, among all the employees of the same grade. This rule, the ostensible purpose of which is to temper routine with elasticity, innocent as it may look, is strongly recommended to all who may be engaged in the pleasing task of "taking the starch" out of a merit system. It must be obvious that, in a country where the political art enjoys a high degree of cultivation, the turn of selection becomes nothing less than the turn of pull. The charm of it is that the man of pull not only gets the benefit of each turn of seniority, but may be promoted over the heads of all the other men in his class at each turn of selection. A simple numerical illustration will show how the system can, with proper manipulation, be made to work. Let us suppose an office having ten clerks of each of the five grades into which the Spanish service is classified, and that one vacancy occurs every year, in the first place in the highest grade. Now let us imagine in the last place in the lowest grade—first, a man without, and secondly a man with a pull. The man without a pull being moved up only by seniority every second year, will take just nineteen years to reach the first place in the same grade; while the man with a pull, if he gets the possible extent of promotion at each turn of discretion, will in *nine* years be jumped through all five grades to the

highest round of the administrative ladder. Increase the number of men in each class, and you only increase the number of those who may be jumped.

Simple devices like this help us to understand how young men of political connections, coming up to Madrid from the provinces, with a consuming ambition to dress in the Paris fashion, but without a penny in their pockets, may be seen, after a few years, clothed in frock coats and authority, their pockets stuffed with bank notes.

It would not be a difficult task to make a lurid sketch of the last stage of Spanish administration in Cuba. But it would be nothing to the purpose. It was, indeed, too much to ask: that Spain should give Cuba what she did not have herself—"a sound, upright and enlightened administration." A country whose political life is a desperate game for the distribution of the national revenues among the few hundred thousands who form its governing caste may no doubt give its colonies, as we have seen Spain give Cuba, eloquent decrees, exhaustive statutes, liberal constitutions, but it cannot give that which Concha hoped for—"administrative reform and the right choice of employees in every branch."

Just a year ago M. Benoist, a distinguished French publicist whose sympathies are altogether with Spain, and whose views were formed under the influence—if not the inspiration—of Cánovas del Castillo himself, admitting that Cuba has been detestably administered, had but this explanation to offer: "In Spain, as everywhere else, each politician drags at his heels, even in spite of himself, a gang of importunate office-seekers. And as ministries follow one another in rapid succession, it results" But we need not trouble M. Benoist to tell us what results.

Unless our survey of Spanish colonial administration has failed in its purpose, there can be no need to put its warning into words. But it may be well to indicate briefly certain applications of the leading principle to our present situation.

In undertaking the establishment of a colonial administration it is necessary above all to start right. Spain's unhappy experience shows how difficult it is to reform a system of corrupt influence when it is once firmly rooted. Not only do you have to overcome the resistance of all whose fortune, interest, importance and power are put at stake, but

you have to overcome as well the ingrained prejudice and fixed political habit of an entire people. In the present plastic state of society and institutions in our new possessions and dependencies we have an opportunity that will never come again. Our reform then should be early, first, that it may be effective, but chiefly, that it may leaven the political life of these peoples and have "a principle of growth."

It is a commonplace of Spanish politics that conditions in the Philippines are vastly different from conditions in Cuba and Porto Rico. The immense eastern archipelago, with its heterogeneous and primitive population, has no common basis of race or culture for an electorate, and no native institutions capable of becoming the organs of national life. It must remain for an indefinite period, if not forever, a sort of crown colony. That means, first, that it must have a strong government—a government whose "legislative body," as Fitz James Stephen said of India's, "is small enough and powerful enough to have a distinct collective will and to carry it out without being hampered by popular discussion." But it means also an expert government—a government whose officers know precisely what they are about and can be left to work out an effective system of administration face to face with the actual conditions of the country. Such a government is, in a sense, all administration, and its efficiency and success depend altogether on the character—the energy, ability, honor and training—of its administrators. For that reason we must follow our kinsmen, the English and the Dutch, and make our service in the Philippines a *corps d'élite*.

In Cuba and Porto Rico we have a somewhat different state of things. Not that intelligence, honesty and zeal are there of less importance, but that Cuba and Porto Rico, being autonomous states, with a self-sustaining social organization, must be left in a measure to their own devices. They cannot be so plainly governed from above. But in laying the foundation for the administration in Porto Rico and in settling the organic law of its government our opportunity and our duty are equally clear. Having undertaken also to set up a stable government in Cuba, urgent reasons of polity impel us to insist upon the establishment there of a sound and permanent civil service, not only in the central, but in the local and municipal administrations. First among them is the need of

assuring all peaceable and industrious people that the administration of their property and persons is not to be handed over to the late insurgents. Next is the consideration that through a skilled and honorable service we shall afford to the educated classes, whom an extensive franchise threatens to swamp, a share in government that will tend to preserve their just and necessary prestige. The last and most important reason is that in a government which does not promise to be the most stable in the world there may be at least one element of permanence, and that in a society long distracted by partisan strife the great fountain-head of spoils shall be forever dried up. Nothing, I imagine, will do more to give Cuba order and repose.

Coming next to the means necessary to these ends, the most obvious lesson from Spanish experience, it seems to me, is the need of a separate and independent board for the control of appointment and promotion. It is a great error to suppose that the Spanish civil service is not elaborately organized and regulated. Every place has a long schedule of qualifications which the appointee is supposed to possess. I do but follow a Royal Decree, however, when I say that papers containing evidence of these qualifications are not invariably to be found in the files. And such must be the case so long as the political officers of the administration are to be the judges of those qualifications. The only safeguard against the play of influence is a method of selection that is necessarily impersonal, that works automatically in obedience to definite rules of choice. Nothing less than an independent board or commission wholly disconnected from the political administration can afford such a method.

Impersonal appointment will, almost of itself, accomplish the great political end of Civil Service Reform; but administrative efficiency requires in addition two important incidents, pay and promotion. Not a little of the incompetence, corruption and oppression of Spanish colonial administration can be traced to the single cause of insufficient pay. In reports upon the Cuban service we frequently find complaint that honest and capable men throw up their posts because they cannot live on the pay, whilst others make the same posts sources of no little profit. " 'Tis a deadly system of administration," says one of these reports, "that bars out honest officials and,

by inciting the others to peculate and plunder, makes the compensation of its servants the cause of the worst ills that afflict its subjects." So important is this consideration in colonial administration that the Dutch make it a rule in their East Indian service that the compensation of a colonial office should be three times as great as that of a similar position at home.

Not only must a colonial office carry compensation enough to attract men of ability and to preserve them from the temptation of corruption, but for the same reason it must offer them a future. The colonial administrator, even more than any other, must have the assurance of permanence and promotion as the recognition of faithful and efficient service. In a word, he must have a career.

With a colonial service chosen "with an eye single to the public interest," well paid and permanent, we shall have gone far towards meeting not the least of those responsibilities about which we now hear so much.

Nor is this all. The better government of the Philippines and the Antilles is a great thing, but for us there is even a greater. It is the better government of ourselves. At this critical moment of our history we cannot hazard the reaction upon our own political life of a fresh carnival of spoils. Shall we enlarge the dwindling patrimony of the spoilsman by the vast and rich estates of a colonial service? Shall its numerous and succulent posts become, in the history of Civil-Service Reform, the great "South Sea" Exemption?

A public man of distinction said not so long ago, "Empire can wait." But Empire has not waited. It has come to us unforeseen, borne by "the rough torrent of occasion." But in the use of our power we have still a free choice; and upon our choice depend the well-being of alien millions and our own happiness and security. We do not choose in the dark. The way is lighted with many lights, both of warning and encouragement. Then let us choose that it may not hereafter be said, in the superbly scornful words of Burke—"our dominion has been a vulgar thing."

Criminal Offences Among Federal Civil Servants in Maryland Under the Spoils and Under the Merit Systems.

BY JOHN C. ROSE.

It is of interest to inquire what effect the merit system has had upon the general morality of those parts of the public service to which it has been applied. There is no way of accurately testing the average comparative morality of different bodies of men. The subject, however, is important enough to make it worth while to collect and preserve available data upon it. I shall, therefore, lay before you very briefly, the results of an examination of the records of the United States District Court for the District of Maryland for the last twenty-eight years. I do not undertake to assert that the figures I am about to give, in themselves prove very much. They are as a rule too small to make generalizations from them safe or valuable. Such as they are, however, they may be worth the few minutes' time I shall ask you to give to them. In the twenty-eight years from 1870 to the present time, fifty-eight persons in Federal employ have been indicted in the United States Courts for this District. Of these, twenty eight were indicted in the thirteen years between 1870 and 1883, that is before the passage of the Pendleton act, and the remaining thirty in the fifteen years since it became a law. The average number of Federal employees in this State during the second period must have been very much greater than during the first, so that relatively there has been a large decrease in the number of government officers and employees against whom criminal proceedings have been instituted. In each period, the proportion of convictions to indictments has been about the same. In the earlier, nineteen were convicted or pleaded guilty, and in nine cases the prosecutions in one way or another, termin-

ated in favor of the accused. During the latter period, twenty were found guilty upon their plea or by verdict; in nine cases the prosecution failed, and one is now in custody awaiting trial. Of the thirty who have been indicted since the Civil Service Act went into effect, six were appointed as the result of successful competition, and twenty-four were not. Of these six, three have been convicted; two acquitted, and the case against one is now pending. Since 1883 the number of persons appointed as a result of their success in the examinations has been at least twelve hundred, so that the number indicted has been not more than one in two hundred, and those convicted not more than one in four hundred of the total number appointed. It is not possible, at least, without an amount of work utterly disproportioned to the value of the result to be attained, to ascertain accurately the number of persons appointed during these fifteen years to places outside the classified service. If common laborers be excluded, and they should be, because their official position gives them as a rule no special opportunities to commit offences against the Federal laws, the number of non-classified places must be less than four times the number of the classified. Consequently, prosecutions have been not only absolutely but relatively more frequent outside than in the classified service.

A study of the figures with reference to the different branches of the service tends to confirm this view. The Railway Mail Service was classified in May, 1889. In the nine and a half years since, one of its employees in Maryland has been indicted and he was acquitted.

In the preceding nineteen years, four were indicted, three of whom were convicted. In the fifteen years since the Custom House force here was classified, there has not been a single indictment found against any of its employees. In the preceding thirteen years there were two; both resulting in convictions. In the Post Office at Baltimore, there were in the thirteen years preceding the adoption of the law, eight indictments. Since the law has been in force the average number of employees has been nearly or quite doubled. The number of indictments during that period has been fourteen. Of these fourteen, however, nine were appointed otherwise than as the result of competitive examinations and only five were chosen by such examinations. Of these five, three have

been convicted, one acquitted, and one is now awaiting his trial. The proportion of classified places to non-classified was in 1897 as five hundred and fifty to one hundred and twenty-five. A similar proportion has been pretty steadily maintained since 1885; the extension of the classification within the Post Office itself being offset by the increase in the number of clerks in charge of postal sub-stations. Such clerks are usually druggists or other storekeepers, who receive a trifling salary, and are necessarily appointed without competition. Some of the indictments have been against persons who were in the federal service at the time the post office was classified, and who although then included in the classified service did not themselves obtain their positions by competitive examinations. The tenure of office of the last class of employees under the Civil Service Act, was, however, short. Postmasters Veazey and Brown dismissed practically all of them. Making proper allowance for the time during which they remained in the service, it is still true, that taking the whole period of fifteen years since 1883, into consideration, two-thirds of the entire force in the Baltimore Post Office has on the average been composed of men appointed in accordance with the methods of the merit system. It follows that there have been nearly twice as many prosecutions among the third of the force otherwise appointed as there have been in the two-thirds of the force so appointed. There is one allowance, however, that should be made in this connection. It should be borne in mind that the temptations in some of the excepted or non-classified places are much more insidious if not greater than is the case in most of the competitive places. The latter positions, as a rule, are those of clerks or carrier. Speaking generally, the only way in which people holding such positions have any special opportunity to steal either from the government or the public, is by rifling letters. There never can be any doubt in the mind of any man who takes and opens a letter, as to the character of his act. Many of the excepted or non-classified places on the other hand, are those of clerks in charge of sub-stations, doing a money order business. In spite of rigid regulations, it is probable that most of those who go wrong, begin by first making use of the government money for what they believe will be a temporary purpose, and they accordingly are able at first to persuade themselves that

they are not doing anything very bad. In such places no matter how the incumbents are selected, there will always be a greater number of men who will get into trouble than will be the case where the first step in the downward path is absolutely unequivocal in its character.

At the present time the clerks in charge of these sub-stations are usually chosen neither by the merit or by the spoils system. There are as a rule tradesmen, who, at their own instance, at the request of their neighbors, or in some cases at the instance of the Post Office authorities, undertake for a trifling compensation to furnish the persons residing in their vicinity with the facilities of a postal sub-station.

In the five months in which I have been in office, three employees of the Baltimore Post Office have been indicted. Two of them were druggists in charge of these postal sub-stations appointed by the Postmasters without examination, and both were purely non-political appointments.

After making all proper allowance for the differing condition of employment and for the uncertainty as to the exact number of persons appointed to unclassified places, it remains true that in every department and branch of the service considered, the figures show, or at all events tend to show, that fewer appointees under the merit system have proven criminally false to their trust than was or is the case under the spoils system.

There is one large body of public servants as to whom the comparison can be made with what for practical purposes may be considered absolute precision. All letter carriers attached to the Baltimore Post Office appointed since July 1, 1883, have been chosen by competitive examination. Before that time none were so selected. On July 1st, 1870, the Baltimore Post Office had thirty-five carriers; on July 1, 1883, it had one hundred and five carriers. The average for the thirteen years may be taken with reasonable accuracy as seventy. The number of regular carriers is now three hundred and eight, so that the average number for the last fifteen and a half years during which the force has been classified, has been two hundred and six, or very nearly three times as many as during the preceding thirteen years.

Since 1870 eight carriers have been indicted and all of them have been convicted or have pleaded guilty. Of these

eight, three were appointed as a result of their standing in open competitive examinations. Five were chosen for other reasons. The answer to a little problem in what at school used to be called the double rule of three, shows that the prosecutions against carriers appointed under the spoils system were relatively more than five times as numerous as they have been against those appointed under the merit system. It is true as the opponents of civil service reform never weary of asserting, that moral worth cannot be tested by mental or physical examinations. But it is quite as true, however, that if a scoundrel when he takes a competitive examination is under no disadvantage by reason of his scoundrelism, he does not, on the other hand, find it of any advantage either. Can as much always be said when the competition is conducted in accordance with the accepted rules of the spoils-men?

The Need and Best Means for Providing a Competent and Stable Civil Service for Our New Dependencies.

BY DORMAN B. EATON.

These truths are equally fundamental and important : that a community cannot maintain its political morality, improve its government, or even prevent the decay of both, without habitually bringing into its official leadership true representatives of its best character and capacity. These great truths should be regarded as all the more admonishing, and they are all the more vital, when a government intervenes in the affairs of a foreign people while proclaiming its purpose of establishing its own dominion for their improvement.

The question, therefore, whether the United States can govern the Sandwich Islands, Porto Rico, Cuba, or the Phillipines—if the latter must come under our control—with honor to themselves or advantage to such dependencies is but another form of the question, whether we are capable of bringing, and are resolved to bring, worthy and competent men—fit representatives of the best character and capacity—into the official leadership of the people of those Islands.

When the National Civil Service Reform League requested a paper upon this subject, I am sure it felt that the subject was of vast and equal importance both to the United States and to the people of those dependencies.

I call them dependencies and not colonies—or territories—for neither of them was settled from the United States ; the people of neither are of our blood or language ; with some exceptions their religious institutions are very unlike our own ; they have lived under governments and laws radically different from those we intend to establish for them. Their experience, political methods and habits have not only very little fitted them for the reception of our institutions, but have devel-

oped prepossessions, theories and prejudices which will require very great wisdom and virtue in the governments we shall establish, to overcome.

Consequently, whatever kind feelings, sympathies or co-operation may arise between our people and theirs cannot spring from kindred blood, congenial habits, or common institutions, but must arise wholly from the blessings of justice and good administration, to be established by us.

We cannot, therefore, legitimately draw arguments, favorable to our success in governing these dependencies, from the experience of England in dealing with her many colonies—true colonies, founded by herself, peopled by her own children, and inheriting her sympathies, her political methods and her laws. Our task in these dependencies will be very different and far more difficult than hers in such colonies. We must establish governments so wise, so just and stable that they can be made effective over different races, over diverse civilizations and semi-barbarisms—despite the effect of laws, habits and political and ecclesiastical institutions which have prevailed for centuries, and which are very unlike those we should seek to establish. Our success will be a marvel, even if we shall use the very best means.

Yet, England has one dependency—British India—in no sense a colony—the problem of whose government has presented, on a vast scale, all the difficulties of race, religion, laws and habits, which the United States can encounter in their new dependencies. The manner in which England has surmounted these difficulties—and especially the means by which she rose above a selfish and partisan spirit, in the selection and government of the civil servants of India, is not only especially worthy of our study at this time, but it stands as the noblest, the most successful and beneficent example of the government of a political dependency, by a superior race and power, to be found in the history of ancient or modern times.

Let us first consider a few facts which we need to have in clear view in the outset, and then I shall ask your attention to the vital and admonishing lesson which the administration of British India has for us, at this time. In it, we shall largely see how and why the government of England has been able to greatly surpass every other in the conciliation and upbuilding of inferior races.

II.

The facts which should have our careful attention at this point, are these:

1. Our new dependencies will not be a part of any state, and consequently the legislative representation which our republican system provides, and the judicial protection which it guarantees, will be but imperfectly secured to them. Their people, will, therefore, be, far more than those of our states, dependent upon officers—both legislative and judicial—appointed to govern them—officers who will have to receive their appointments directly or indirectly from the President and Senate of the United States—thus greatly increasing the importance of a wise and non-partisan exercise of the appointing power, and causing the high character and capacity of the appointing officers to be, in a præminent degree, the fundamental conditions of good government.

It is by no means suggested that these appointed officers—this stable and competent civil service which they should constitute—will be the sole or supreme power for good government in these dependencies. Congress must devise a system of government for them, and enact general laws to be enforced. Our army and navy administrations will—for a time at least—

have a great influence over their people.

These people—now largely incompetent for suffrage, and lamentably divided into antagonistic factions—if not into armed bands—must, as soon as practicable, be allowed a reasonable measure of suffrage and some proper means of legislative action. Yet, we must believe that a considerable time must elapse before controlling self-governments can exist—years during which the real character of the administration, and the question whether it will be a blessing to the people and honorable to the United States, will mainly depend upon the character of the appointed Civil Service.

The policy, as to these dependencies, will soon be devised and general laws for their government can be speedily enacted. All the rest—that which will decide whether the new governments are to be a blessing or a disgrace—will be administration—administration—honest and capable or dishonest, feeble and partisan. These are the great questions at this grave crisis.

3. I have no time for defining the fit limits of this Civil

Service administration, or the appropriate jurisdiction of its various classes of officers, which may need to be unlike in different dependencies. But it is plain that in the degree that suffrage and legislation must be limited—that the people cannot be trusted to elect their own officers—the number of appointed officers must be increased and their jurisdictions must be enlarged—or a hostile policy toward the United States may be enforced by the dominant local factions.

III.

Some parts of the administration, in which a non-partisan and stable civil service is indispensable, may be easily defined. Besides including a few executive and judicial officers of high and wide jurisdiction—which the President must appoint—it must extend to the customs, internal revenue, postal, life-saving and revenue marine administrations. Not only must the higher judicial officers be appointed, but it seems plain that, at present at least, in the many localities where general ignorance and violent passion prevail, it will be both unsafe and impracticable to select even the minor judicial officers through popular elections. Justices of the peace and the whole class of semi-judicial officials must be appointed. These appointments should be made by the judges, following the analogy of the appointment of United States Commissioners, who are really local justices of the peace—and who are chosen by the United States Circuit judges. By that means, the minor judicial administration may be most easily kept clear of partisan politics and factional violence and hate—which might be as disastrous to our dependencies as it would be disgraceful to the United States.

No part of the administration in Cuba or Porto Rico can be more essential to the safety of the people of the United States than that which relates to the preservation of the public health; nor can our safety, in that regard, be secured without competent and stable sanitary officers, at least in all the seaport cities—officers who will neither court party favor nor yield to selfish interests. All sanitary officials will greatly need stability of tenure, constant inspection by central authority, and long official experience.

I have no space for considering the great need of a high class of officers for attending to the many intricate and import-

ant questions which will grow out of disputed land titles and the incompatibility of Spanish and American laws affecting both property and personal rights.

IV.

It is plain that there can be no such civil service as is indispensable, unless these three conditions shall be complied with: (1) the chief officers which shall be appointed by the president and the senate must be competent administrators—selected irrespective of party politics, and they must have an official tenure so stable that a change of administration in the United States will not cause an administrative revolution for party advantage in our dependencies. (2) The Civil Service appointees, under these Chief officers, must be selected through free and open competitions, regardless of their party or religious opinions, and they must be retained in office so long as they shall remain both faithful and efficient. (3) To make such selections and retentions possible, there must be a Civil Service Commission for each of the dependencies—composed of men of character and capacity—and not of superannuated officers or mere politicians. They must be high-toned and effective men, who shall have adequate powers, and a constant duty of investigating and reporting as to the manner in which the local civil service officers shall discharge their functions. Nothing less than such safeguards can ensure fidelity and efficiency of administration in remote dependencies, and among unassimilated and suspicious communities, where, for several years at least, no just and enlightened public opinion will be an adequate restraint.

V.

I cannot take time for explaining how greatly such an administrative system would aid in solving the many perplexing questions which will arise as to how many Americans shall hold office in these dependencies, or as to the race, religion and politics of those to be given offices from the dependencies themselves; nor can I more than glance at the very important fact that such free and open competitions would bring into official control the most competent and worthy among all those who shall seek office from among the native people

—thus placing before their eyes those superior officials whom they will be most likely to respect, and most readily obey—officers all of whom have won their places by merit and not gained them by favoritism or corruption.

VI.

There are two serious obstacles in the way of establishing the competent and stable Civil Service which we so much need:

(1) There is the old, hereditary Spanish spoils system—to say nothing of the little royal spoils system at the Sandwich Islands—extending alike to politics, society and religion, and everywhere corrupt, mercenary and despotic. It has continued its degrading influences through so many generations that the people under it have almost ceased to believe in the possibility of official virtue, and every officer is sure to be distrusted and maligned until he has actually demonstrated his worth and fidelity.

(2) There is that familiar American, party, spoils system in connection with appointments, with which we are all sadly familiar. Will it be safe to allow these new dependencies to add still more vicious and seductive elements to this system—especially to that part of it which is connected with nominations and the secret sessions of the Senate, where it is now most dangerous? The politicians and bosses of all parties will hustle and bribe to secure the offices and spoils of these dependencies—if we shall have no such safeguards as I have proposed. Such men and not a few members of Congress—from Oregon to Maine, from Florida to California, and all the states between—wrangling and clamoring over the appointments will insist that their state shall have its proportion of the offices and spoils. Every great boss and every little Blarneyville and Patronageville even will also demand a share of them. Unscrupulous corporations, and rich and able men now in these dependencies—or soon to go there to purchase plantations, to monopolize docks, to acquire mines, to make and manage railroads, to get control of the forests and fisheries, will hustle for patronage, and will soon become a mighty power in Congress and at the White House. They will bitterly oppose an honest, stable and competent Civil Service be-

cause it would interfere with their schemes and their illegitimate gains. They will have abundant nominees of their own for every office—nominees whom they will conspire with all corrupt politicians to press upon the Senate and the President. No thoughtful man can ponder these matters without a painful sense of the perils connected with the subject, and of the need of every instructive lesson of warning which history can supply.

VII.

No lesson is so instructive as that which British India can teach us, and therefore, again, I turn to it. England through brilliant deeds of war in the last century had won that vast dependency of more than 100,000,000 people of diverse civilizations, of many conflicting religions, of numerous languages and races. The early attempts to govern India resulted in such oppression, injustice, extortion and corruption as have been made familiar to the world through the trials of Clive and Hastings and the speeches of Sheridan and Burke.

The government of England, at that time, was strictly party government, with an aristocratic and royal accompaniment. Even administrative offices, until far into the 19th century, were gained both in England and India by party and official favor, by class influence and by the power of wealth and rank. A party, aristocratic and ecclesiastical spoils system prevailed.

More and more, after the great Indian wars were over, and government was reduced mainly to administration, it became apparent—soon after 1840—that the inferior partisan and unreliable officials which such a system put into the Indian Civil Service were incompetent for their duties and were also a source of grave peril. The people of India were not conciliated or elevated, but were exasperated and demoralized. The greatest difficulty of their government—the provision of a good Civil Service—yet confronted England. The mutterings of that fearful storm which burst over India in 1857, known as the Indian Mutiny—soon began to be heard. Anxiety for the future caused the trial of various remedial experiments—and among them pass examinations and a two-years' college course of study—for improving the class of persons appointed under this English Spoils System into the

Civil Service of India. These experiments were utterly inadequate. The alarming tendencies both in the army and in the civil service increased. The foremost Englishmen in public life became alarmed as to the fate of India.

Great statesmen and party leaders—Lord Aberdeen and Lord Derby among them—had become convinced, in 1853, that great and radical changes must be promptly made to arrest the decay of India, or to long hold it as a British dependency. Elaborate investigations were made, and the result was that a very original and fundamental provision was incorporated into the India act of 1853—one of the most enlightened, liberal, salutary and far-reaching provisions ever incorporated into the administrative laws of any nation.

The whole system of party favor, spoils and influence for making appointments for India, was rejected. In its place, it was provided that any subject of Her Majesty might freely compete—according to fixed regulations and regardless of political or religious opinions—for appointments in the Indian Civil Service, and that the most meritorious competitors should be appointed and promoted.

Here was not merely a rejection of the old English Spoils System, and of the theory of privilege and influence upon which great parts of the English Constitution had rested, but there was an adoption of the republican and democratic theory of equal opportunities before the law and common justice which are fundamental under our national constitution. It was a grand triumph of English justice and statesmanship.

I cannot stop to explain to you the desperate efforts made by the combined partisans, aristocrats and spoilsmen of England for arresting this noble measure of democratic liberty and justice—efforts much in the spirit of the attempt made during the present year to overturn our own Civil Service Reform law of 1883, and to coerce the President. Many able men had leading parts—Macaulay and Lord Ashburton among them—in carrying the new system into effect. It was too late to avert the Great Mutiny, but it was not too late to continually bring into the service of India those young men of superior character and ability from all classes, races and creeds of her people, which conciliated their favor, improved their government, and elevated their moral tone—giving them the best civil service any dependency of any nation, either

ancient or modern, has ever possessed. Indeed, I think it not too much to say that hardly any nation of the world has had in its administration, civil servants superior to the 60,000 or more which now conduct the administration of British India. The people of India have been made peaceful and contented; they have not only accepted the principles of justice and liberty, which prevail in England, but they have been made ready to fight under her flag wherever on the globe it may be unfurled. Perhaps, it may be said that there has been more bad administration, connected with our small Indian affairs in the last forty years, than there has been among the 200,000,000 of people of British India.

I have no time for explaining how the example in British India was soon copied in the British Colonies, or the extent to which it has contributed to that unapproached superiority of English Colonial administration which the whole world recognizes.

I cannot even show how the experiment in India before long resulted in the overthrow of the old spoils system in Great Britain itself, and to the substitution therefor of free, open, competitions of merit—both in the military and the civil administration—a revolution so great that now—though parties remain as vigorous as before—upon a change of administration in Great Britain there are not—disregarding a very few neglected petty places—a hundred changes of offices for party reasons in both the civil and military services combined—incredible as the fact may seem to us.

VIII.

I cannot think there can be a reasonable doubt as to whether the methods resorted to in British India would be efficacious if adopted for the Sandwich Islands, Porto Rico and Cuba—however we may distrust, even their saving efficiency,—or the Phillipines. The decisive, momentous question, however, is whether the majority of our party leaders and congressmen are sufficiently disinterested and patriotic to resort to them—to follow this noble precedent of the mother country—or whether the better public opinion of the American people is yet sufficiently enlightened to compel them to do so. I have an undoubting faith in the final and early triumph of that opinion, which is now greatly aroused.

But when we see the President, at so momentous a time as this, apparently yielding to partisan pressure in our own civil administration, we may well be anxious not only for the immediate future of these dependencies, but for the historic reputation of the government of the United States in one of the gravest crises of its history.

The Murrain of Spoils in the Indian Service.

BY HERBERT WELSH.

Murrain, as nearly everybody knows, is a terrible epidemic which sometimes attacks cattle,—wasting and destroying them sadly.

An old writer of the Thirteenth Century in England, during the time of Edward the First, states: "This plague of Murrain continued twenty-eight years ere it ended, and it was the first rot that ever appeared in England."

There is a disease in our American politics as virulent and as much to be dreaded as that of which this old worthy so bluntly and forcibly writes; it is the murrain of spoils. I wish to speak of what I have known of its ravages in the Indian service, of which I have been a practical observer since the year 1882,—a range of sixteen years. My position has been the gratuitous post of Secretary of the Indian Rights Association. In furthering the work of this organization I have been called upon to visit frequently the Sioux reservations in Dakota and Nebraska, and the Navajo, Moqui and Apache Reservations of New Mexico and Arizona. Other representatives of the Association, trained and able men, have, in their investigations, covered almost the entire Indian field, and certainly all the more important Indian Reservations. Personally I have been brought in frequent contact with many army officers and civilians who have had wide experience with Indian affairs,—experience of the most practical and intimate nature. Such, stated in the briefest and most general terms, have been the means through which I have formed opinions on the Indian question, and have come to a conclusion as to what are the main essentials for solving this difficult problem. I say this by way of preface to place the general listener or reader, as the case may be, in possession of my point of view.

THE INDIAN PROBLEM.

Whatever difference there may be as to details, there is a general concord of opinion among those who have studied the

question as to the main outlines of a judicious policy for the United States to pursue toward the 250,000 red men who still remain as its dependent wards. Indeed, the Government itself has long since yielded to the current of popular opinion, so strong and united has it become. The old and fallacious idea which once attempted the formation of an Indian State west of the Mississippi, to be known as the Indian Territory, into which should be herded all the broken and scattered tribes of the country, with a view to their civilization as an independent Government, has long since broken down under the pressure of evident necessity. This idea of segregation has given way completely to that of absorption. The island reservation on which the waves of white civilization continually beat, fraying away yearly more and more of the receding shore, is soon to be absorbed in the element about it. The Indian must take his place with all possible speed in the common life of the American people. One alternative is presented to him,—and to us on his behalf; he must either take our education, religion, law, land,—in fact life, becoming one with us; or, when his reservation island has slipped from under his feet into the sea of advancing civilization, he must become a gypsy-like pauper and vagrant, stripped even of his savage virtues. Without hope, without self-respect or the respect of others, he must beg his bread, and eke out a miserable existence until he is utterly destroyed. Absorption or extermination are the only alternatives. But, while doomed as a race, there are evidences in abundance to be found in Indian schools and in Indian fields and workshops that it is possible to save him as an individual. To a solution of the problem along such lines the friends of the Indians, working in steady and permanent organization, have addressed themselves. They have demanded, in the name of civilization, justice for the Indian; a reasonable continuous policy, with the end distinctly held in view of obtaining his education, training in civilized pursuits, protection in a secure holding of an individual tenure of land, so that he might have the settled means of self-support and a home that he could call his own. They have asked for him an abatement of that demoniacal race prejudice which makes our people so hard upon the weaker man, so willing, apparently, without a twinge of conscience, to plunder and destroy by every conceivable fraud, even to murder judicially or in-

judicially, a member of the alien race. They have, during all these long years, asked the Government to adopt a policy, and to select machinery capable of carrying that policy out, so that the great and noble purpose to which the nation is committed, for which so many are unselfishly working, might not prove abortive.

Manifestly this was, from the beginning, a problem for experts. It was not a question into which the base and burning passions of party greed and contention should enter. It was a problem demanding wisdom, sympathy for a weak race, but a high order of statesmanlike prudence and business ability, both in dealing with its broad outlines and its minute details. Who will dispute that the man chosen to control the Indian Service at the top, the man responsible to the President and the Nation for the handling of his stewardship, should be selected on account of his knowledge of the Indians and their needs, and because he was imbued with the spirit fitted to carry a civilizing policy into effect?

I have known the Indian Service under five administrations—those of Presidents Arthur, Cleveland, Harrison, Cleveland in his second term, and McKinley. I have had opportunity to observe carefully, and I think dispassionately, the course pursued by the various Secretaries of the Interior and Indian Commissioners during that time. In none of these Presidential terms was a Secretary of the Interior chosen, I presume, with the slightest reference to the welfare of the Indians. Their protection and civilization was a consideration so trifling and incidental among many other serious burdens resting on the shoulders of that official, that I suppose it was hardly thought of as a matter of moment. Regarding Indian Commissioners during that period, I have known of a single case—that of Gen. T. J. Morgan, under President Harrison's administration, where choice was made, not primarily for partisan reason, but with an eye single to the welfare of the Indians. The circumstances leading to this choice need to be stated. Powerful pressure had been brought to bear to secure the retention of the former incumbent, a democrat; the President was not willing to depart so far from party custom, but yielded to the request of the Indian Rights Association, and appointed a man named by them as a desirable alternative to the retention of Mr. Oberly. To General Morgan is due the

credit of having been very instrumental in effecting the extension of the Civil Service rules to about 700 places, principally in the Indian School service. This was accomplished during President Harrison's administration. To him also must be accorded the credit of great improvement in the Government School system. His energy and ability infused into this sphere of the Indian Service fresh life, and marked out the lines on which it was subsequently developed. The circumstances under which the Civil Service rules were extended to the Indian Service, are not only of general interest, but they show clearly the value of independent organized effort in promoting administrative reforms. The spoils system was responsible for the Sioux outbreak of 1890-91, as it has been for many a bloody Indian uprising. Under President Harrison's administration an unfortunate system of appointment of Indian Agents was adopted. It was called by an odd irony of expression the "Home Rule" system of appointment. Senators or other politicians from the various States in which the Indian reservations were located, were allowed to name the Incumbents for Agencies. This might be called "Home Rule" for the white man, while it was far from "Home Rule" for the Indian. The politicians chose the Agent from members of a community often bitterly hostile to the Indian, and usually from among his own political henchmen. Both lines of selections were bad, and the second very greatly restricted the good material that might have been had from the first. I present a striking illustration; after remarking that the Indian Rights Association earnestly protested at the outset against this policy, requesting Secretary Noble at the beginning of his administration, to avoid "the rock on which his predecessor had struck" by retaining good incumbents found in office and appointing, where changes were necessary, men especially fitted by character and training to serve the Indian. This suggestion was disregarded. Pine Ridge in South Dakota at this time became the seat of trouble. A weak Democratic Agent, named Gallagher, under Mr. Cleveland, had superseded the highly efficient Republican Agent, Dr. V. T. McGillicuddy, who was fully capable of dealing with the large and troublesome body of Indians at this place. Gallagher had allowed the efficient force of Indian police instituted by McGillicuddy, to run down. Royer, a wholly inefficient political henchman

of Senator Pettigrew, who had been a failure in other pursuits, was appointed to supersede Gallagher. There was no intelligent action from Washington in making this appointment. It was simply the automatic working of "Home Rule" in South Dakota—a State Senator paying a political debt at the expense of the Indian and the country. Then came the religious fanaticism of the Messiah Craze, and the Ghost dance accompanied by turbulence and great excitement, which McGillycuddy and his police force could have controlled readily without military aid from outside, but which Royer, inexperienced and timid, was totally unable to cope with. Upon the trivial incident of failure to arrest an Indian who had killed another man's cow, he fled from his agency, leaving it without a head, and only returned when surrounded by 1000 United States troops. The Indians thinking the day of vengeance had come, fled to the bad lands where they fortified themselves, and the so-called Sioux outbreak was an accomplished fact. But, further even than this, did the spoils system contribute to the loss of approximately \$1,000,000 in money and 200 lives of whites and Indians in this affair. The battle of Wounded Knee, where most of these lives were lost, was an encounter between the troops and Big Foot's band. Big Foot and his people belonged to the Cheyenne River Reservation, situated in the eastern part of the great reserve on the Missouri River. Here also had been an unfortunate change of Agents—Dr. McChesney—an able and trained man—had been removed for a political appointee, weak and inexperienced. The new agent had arrested Big Foot and had put him in the guard house, but weakly released him and allowed him to escape. A more perfect illustration, or one more tragic in its incidents, of the cost and suffering occasioned by the operations of the spoils system in the Indian service could scarcely be found. But out of this evil some good came—The Indian Rights Association called prompt attention to this illustrative case and secured petitions from various parts of the country asking President Harrison to extend the Civil Service Law to such positions in the Indian Service as were suitable to its operation. This petition was granted and in the spring of 1891, the 700 places referred to were included under the rules. This was virtually a significant declaration by the President that definite proof of fitness upon the part of applicants for

positions should take the place of political influence. I will later refer to further extensions made by President Cleveland. It should be stated, in connection with the administration of President Harrison, that practically all Indian agents appointed by President Cleveland were removed. There was no attempt, in this sphere of the service, to adopt the principle that the position of agent, as well as minor posts, should be wholly separated from the baneful influence of partisan politics. Not until that principle is acted upon can satisfactory results be obtained, or the service be placed on a basis of dignity and efficiency. While criticising frankly what I believe to be this serious error of President Harrison's administration, I desire to give him full credit for the great good he did in appointing General Morgan Indian Commissioner, and for the extension of the Civil Service rules, and for being prompted by a sincere desire to do all for the Indian which the terrible exactions of party claims would permit. Progress will best be promoted in the Indian Administration by a fair statement of the debit and credit account of each succeeding President. It is fair to expect some forward step from each, notwithstanding failures or shortcomings. President Harrison must certainly be credited with a very important step in the development of the Indian school system, and in the extension of the Civil Service Rules.

I shall treat briefly and consecutively President Cleveland's two administrations. The first showed serious and disappointing faults. These were partly the result of inexperience, but more largely the grip of the partisan spoils system, which no President has the strength to resist, or, perhaps, we should say can, in the nature of things, wholly disregard. The appointments of Secretary of the Interior, Commissioner of Indian Affairs, and Assistant Commissioner, being what they were, a reign of spoils followed as a matter of course. Mr. Lamar, a courteous, honorable and able man, was from Mississippi. Messrs. Atkins and Upshaw from Tennessee. Changes were general in the service, and the jest ran through the Indian country that these two States must have been stripped of their inhabitants, since so many hailing from them were to be found on Indian reservations. Out of the sixty Indian agents all but two were ultimately changed. The general grade of efficiency was lower than that of Republican

administrations, while some scandalous appointments were made. One man was sent as Agency physician to a reservation on the Pacific coast who was under sentence in his northern home to pay a fine of \$3,000 for cheating the town. After a year's persistent exertions the Indian Rights' Association secured his removal. This was granted by the Secretary with the explanation that he presumed the man's friends had gained him this position "in order to give him a chance to retrieve his character." We need a higher view of the use of the public service than that it is an asylum for moral reformation. Such a conception does not promote the civilization of the Indian. Most of the spoilsmongering under Mr. Cleveland's first administration was done by Mr. Upshaw, the Assistant Commissioner.

When the President was at last convinced of the abuses which existed, the power of patronage was withdrawn from Upshaw. With this event his interest in the work of Indian civilization rapidly declined, and shortly after he retired. It must be said to President Cleveland's credit that his personal interest in the welfare of the Indians was more marked, and led to more good results than that of any President holding office during my acquaintance with the subject. He set himself earnestly to work to remedy abuses when he became acquainted with them, while he was courageous, determined, and active in correcting acts of injustice and wrong perpetrated upon Indians. The revocation of the order taking lands from the Crow Creek Indians in South Dakota, and the protection of the Indians in the Indian Territory against the depredations of the cattle men, are illustrative cases.

He was remarkably accessible to the friends of the Indians, and showed himself most anxious to obtain from independent sources information fitted to guide his public acts. President Cleveland made large and good use of regular army officers, who were detailed to serve as Indian agents. This policy, which was adopted under an act of Congress that required such appointment, whenever in the opinion of the President the needs of the service required it, was directly in line with civil service reform. It not only usually gave the Indian an educated gentleman,—secure of his position against political influence,—as a friend and administrator of his affairs, but it proved, so long as Mr. Cleveland was President,

and until the policy was reversed under the subsequent administration of Mr. McKinley, a block to the efforts of spoilsmen to secure control of Indian agencies. As there seem to be serious difficulties in the way of bringing the post of Indian agent under the operation of civil service rules, owing to the fact that this is an appointment requiring confirmation by the Senate, it is to be hoped that, in the interest of Indian civilization, capable and experienced men may again be detailed from the army to serve as Indian agents. Equally good men might, it is true, be appointed from civil life were it the desire of the Secretary of the Interior and the Indian Commissioner to secure competent persons; but the principal fact remains that such men are not sought and consequently are not found because the "Home rule" plan of appointment has, under Mr. McKinley's administration, been revived, and Senators now dictate to the Indian office appointments to Indian agencies.

Mr. Hoke Smith, Secretary of the Interior under President Cleveland's second administration, deserves credit for distinct progress in the handling of the service. He showed a strong desire to understand the subject and was in many ways more accessible to the friends of Indian civilization than any Secretary with whom I have been brought in contact. He was not wholly free from political influences, but he showed a genuine desire to rise above them and to advance the merit principle in the conduct of Indian affairs. One of his notable acts was the appointment of Dr. William N. Hailmann, at that time the highly competent Superintendent of public schools at La Porte, Indiana, as Superintendent of Indian Schools. This was rearing a worthy superstructure on the sound foundations laid by Gen. Morgan. The appointment was purely non-political and was a fine example of the merit principle. Dr. Hailmann's name was suggested by Dr. Harris, the National Superintendent of Education, a high authority, and himself in politics a Republican. I do not to this day know Dr. Hailmann's politics, beyond the fact that he believes in honest and sensible administration, and despises "spoils." Dr. Hailmann's reputation in his profession is of the highest. This fact was brought out by inquiry on the part of the Indian Rights Association at the time when his appointment was pending. During the four years of his term of service he ex-

erted himself bravely and continuously under grave difficulties, to purify the Indian Service, and to inspire it with his broad, hopeful and wise spirit. In a great measure he succeeded in spite of the fact that partisan politics, which were quite influential under the rule of the preceding administration, but which have become steadily more pronounced under this, sought to thwart his efforts at every turn. He has not been allowed to have School Inspectors of his own selection, who would have been men chosen wholly for educational reasons, but these officers were appointed by the Secretary of the Interior apparently solely to satisfy partisan considerations. In one instance in illustration of Secretary Hoke Smith's reform tendencies it may be noted that he re-appointed a republican Indian Agent (Major George G. Wright) at an important Agency, because of his ability and high character, and afterwards raised him to the post of Inspector. In this position Mr. Wright has been retained under the present Republican administration. In another instance the Secretary re-appointed a former Republican Agent on the ground of merit to serve at the Blackfoot Agency.

We regret to say that the advance made under Mr. Cleveland's second term, which, with many distinct faults and shortcomings incident to spoils system pressure, has not been maintained under the present administration. This I think, one is forced by candor to say has been (if we view it broadly taking into consideration the action of the President, and the Secretary of the Interior) more distinctly partisan than any within the range of my experience of sixteen years. There has been no interest manifested by either words or specific acts on the part of the President, which places him individually as a benefactor of the service or the Indian race comparable to the notable acts of justice and progress for which both President Cleveland and President Harrison are greatly remembered. On President Cleveland's credit sheet there is clearly written (a) Defence of the Indians at Crow Creek against administrative robbery, and of Cheyennes and Arapahoes against the impositions of Cattle-men—A general willingness to redress injustice when the facts were proven. (b) Final withdrawal of patronage from an assistant Indian Commissioner who abused the power. (c) Large use of Military Officers as Indian Agents with, in the main,

excellent results. (d) In his second administration large extension of Civil Service rules. (e) Great advance secured in the Educational sphere of the Indian Service by the appointment of Dr. Hailmann. (f) Principle of merit appointments in Indian agencies, further emphasized by re-appointment of Majors Wright and Steele.

President Harrison's credit sheet showed (a) A distinctly reform appointment in the selection of Gen. Morgan as Indian Commissioner. (b) Support given to the Indian Commissioner when pressure of spoilsmen was brought to bear on him to prevent good school appointments. (c) Recognition of the necessity for Civil Service Reform in the Indian Service by extension of the rules to 700 places.

So far in the present administration, to which I shall refer in its main features as I have done to others preceding it, the credit sheet remains virtually blank. No distinctively beneficial policy has been instituted, and no distinctly and conspicuously helpful act has been performed. The friends of the Indian openly rejoiced when the announcement of the appointment of the present Secretary of the Interior was made. We believed that this meant the maintenance and advance of Civil Service reform in the Indian Service, the application of expert knowledge to the solution of its difficult problems; the recognition of the entire question as one of philanthropy, education and business principles and ability, and from which, consequently, all partisanship should be excluded. On the contrary, so far as my knowledge of present conditions runs, precisely the reverse has been the case. I know of no case where spoils pressure has been resisted, and of a very large number of cases where it has been the controlling force. All the facts in the case with which I am cognizant, encourage the belief that "politics" and political considerations rule very largely. I have known no administration where the appeal of the disinterested friend of the Indian, based on facts and reason has so constantly gone unheeded, and where the voice of the politician, asking action for purely partisan or personal gratification, has so uniformly prevailed. The Secretary of the Interior is a generous and kind-hearted man, who has always treated me personally with the greatest civility—I have no personal complaint to make. Last winter he gave generously out of his own pocket to help provide

legal defense for a young Indian under sentence of death for a crime which every one in his locality knew had been committed by another man. But the fact remains, and is generally recognized by the workers for Indian civilization, that they are persona non grata with the administration while the partisan has his will. Out of the 60 Indian agents a comparison of the list of 1896 with that of 1898 will show that 45 have already been changed. Of the number removed 11 were army officers, who have been replaced by civilians. It may be urged that the war relieves the administration in the replacement of army officers by civilians. Partly it does; but not wholly. It certainly does not do so in the removal of Capt. Stouch from the post of Agent of the Crow Reservation in Montana. It was Senator Carter, not the Spanish war, who is chargeable for this unfortunate change. Captain Stouch was an ideal Indian Agent. He knew the Indians and they knew and trusted him. He was ably assisted by his excellent wife. He had done wonders for the Northern Cheyennes, a fine tribe of brave Indians at Tongue River Reservation, also in Montana.

His skill in dealing with these Indians undoubtedly prevented an outbreak, when the neighboring whites were anxious to provoke one some two years ago, in order to effect the removal of the Indians from the State. Captain Stouch was unfortunately transferred from this Agency to that of the Crows. His character, energy, and interest in the work of civilizing these less hopeful Indians was producing marked effect upon them. He was assured that he would be retained here by the office in Washington, but Senator Carter's influence prevailed. A local politician was appointed, wholly unfit to continue the civilizing work begun by his predecessor. An intemperate clerk, who had been removed, was brought back to the agency and I am now able to say from the report of a trusted representative of our Association, who recently visited the reservation, that the drift will now be downward. The same gentleman, Mr. S. M. Brosius, has travelled during the past summer both in the southwest and the northwest and has just returned within a fortnight from an investigation of the condition of the Chippewa Indians in Minnesota. The evidence obtained by him confirms the belief which I have already expressed, and the principles of Spoils is almost every-

where dominant. The recent outbreak among the Chippewa Indians, a people who have always been friendly to the whites, was the result of the most serious, long standing grievances. Enormous frauds which, however, are chargeable to past administrations rather than the present, have been perpetrated on those Indians in regard to the use of their valuable lumber supplies and through the appointment of Spoils system estimators, whose gross ignorance and subserviency to lumbering interests, combined to rob year after year the helpless red men.

The Indian Rights Association asked of the present administration, the retention of Dr. William N. Hailmann, as superintendent of Indian Schools, unless something could be shown in connection with the performance of his duties which rendered him unfit to continue to hold that place. Some of the most influential names in the country were attached to this request. I submit here a number of them.

H. C. Potter, Bishop of New York.

W. S. Rainsford, Rector of St. George's Church, New York.

Joseph H. Choate, New York.

John Fiske, Cambridge, Mass.

James B. Thayer, Professor of law at Harvard University.

Agnes Irwin, Dean of Radcliff.

William H. Hare, Bishop of South Dakota.

Booker T. Washington, Principal of Tuskegee Normal and Industrial Institute, Tuskegee, Ala.

William Lawrence, Bishop of Massachusetts.

J. L. M. Curry, Trustee and General Manager of the Peabody and of the Slater Education Funds.

W. N. McVicker, Bishop of Rhode Island.

W. G. Sumner, Professor in Yale University.

G. W. Blatchford, Chicago.

John Graham Brooks, Cambridge, Mass.

William Crosswell Doane, Bishop of Albany.

W. E. Dodge, New York.

Charles Lanier, New York.

J. Pierpont Morgan, New York.

John Sloane, New York.

George Harris, Professor in Andover Seminary.

Parke Godwin, New York.

A. F. Schaffler, New York,
John S. Kennedy, New York.

Francis G. Peabody, Professor in Harvard University.
Charles Kendall Adams, President of University of Wisconsin.

Charles W. Eliot, President of Harvard University,
William Adam Brown, Professor in the Union Theological Seminary.

W. R. Huntington, Rector of Grace Church, New York.
Seth Low, President of Columbia College.

Daniel C. Gilman, President of the John Hopkins University.

Charles C. Harrison, Provost University of Pennsylvania.

It is clear that no school service and especially one of the range and importance of that which the government maintains for our Indians, can be properly conducted unless the element of politics is excluded from it, and capable and faithful officials are retained. It was on this ground that the President and Secretary of the Interior were asked to retain Dr. Hailmann. We were told that our plea was very irritating to the authorities,—but why should it have been so? It was a reasonable and right request, respectfully proffered. Why should it be irritating to the authorities when they are petitioned simply to do their duty? Dr. Hailmann was removed upon no charges or objections, certainly upon none which can stand the light, and thus the ablest and best equipped man who has ever held that position was lost to the Indian service. His successor was a young woman, unequipped, as I believe on excellent authority, for a place so responsible and difficult. Undoubtedly it was the pressure of the strong political backing which won for her the prize. I might multiply many illustrations to show the prevalence and the evil results of spoils system methods to-day in the Indian service. It is unnecessary to take up your time and to weary your patience by doing so. It must be apparent to every intelligent and impartial person who looks into the facts, that this method of managing a great responsibility thrown upon the government and people of the United States in the civilization of a helpless race, is worthy of the severest censure. It is wholly unnecessary that such a condition of affairs should exist. It is unworthy the conscience and intelligence of our

people that it should be permitted longer to exist. How can we arouse our people to the point of action for securing an administration of Indian affairs in which trained and competent men and a continuous policy shall rule? The moment is one, if ever such a moment is to be found, when we should demand of our government a reasonable, honorable, and business like administration of the Indian service, from which all idea of spoils should be excluded, and in which the merit idea and merit system should have full sway. We seem to be about to assume enormous responsibilities in the care of out-lying peoples, whose condition is in many respects similar to that of our Indians. If we cannot do well with that which is our own, how shall we care for that which is another's? Is it not apparent to every one that at such a time as this our people should demand of the government at Washington the adoption of the merit system in dealing with the Indians? It cannot be effected unless men are placed in control of the service who are chosen, not for political, but for higher reasons. The spoilsman must go, the trained expert, the unselfish and public spirited man must fill his place. Such men can be found and our government is perfectly capable of finding them, but it will not effect this reform unless there be such a demand from the people that it dare not disregard it. The greatest warrior of modern times is reported to have said that Providence was on the side of the heaviest artillery. Unless the demand of conscientious and patriotic people be heavier and more persistent than the scheming chicanery of the selfish wire puller, the Indian will continue to suffer and the possibilities of his civilization be held in doubt. So far, great good has been accomplished in many ways by the organized efforts of his self-appointed and,—financially considered,—his unrecompensed friends; but they have not yet conquered the murrain of spoils in the Indian service. My belief is that this moral pestilence effects not any one branch of the service alone, but others, and that when the popular force is aroused sufficient to stay the plague in others directions, it will be stayed here. The reform cannot come without long, and as a human affairs are arranged, bit controversy. As Secretary Stanton once said to bishop Whipple, "Congress"—and *we* might add the Executive—"redresses no wrong until the people demand it." To the people is our appeal. We trust in their virtue and intelligence, but

are sometimes tempted to grow weary in waiting for the time when these high qualities will assert themselves and our victory shall be won. There is a simple secret by which it may be won,—when the man of average intelligence and average influence forgets his indifference and feels no longer his unimportance, but becomes charged with a strong sense of responsibility for using those talents which now he hides in a napkin and buries in the earth. When the average man will do his duty by public affairs, the cause of civil service reform, whether in the Indian service or elsewhere, will be victorious.

NOTE.—

To this address it seems desirable to add the following :

Indian Commissioner Jones was present at the annual meeting of the Indian Rights Association, which took place in Philadelphia shortly after the meeting of the League at Baltimore. The Commissioner, when the Chairman was informed of his presence, was asked to address the meeting. This he did with some reluctance, as the call was quite unexpected. The Commissioner spoke in excellent spirit and produced a good impression on the audience. Although the Commissioner based his remarks principally on the above address, which he had heard in Baltimore, he criticized this for alleged injustice to the present administration in giving it a "blank credit sheet." He justified the removal of a number of military men from the Indian Service on the ground of unfitness. Notwithstanding their strictness, the Commissioner made several very important admissions which reinforced some of the main contentions of the above paper. Mr. Jones stated that he regretted the removal of Dr. Hailman from the Superintendency of Indian Schools, and of Captain Stouch from the Crow Agencies. Both of these removals he had endeavored to prevent. He further stated that he was a warm advocate of Civil Service Reform in the Indian Service, and then added most significantly, that, in order to reach the best results, *the position of Indian Agent should be included* in the classified service. If President McKinley will assist Mr. Jones in carrying these views into practice the writer of this paper will gladly grant to him a credit sheet no longer blank, but with a substantial balance upon it. Since the above paper was made public the appointment of Mr. Ethan Allen Hitchcock as Secretary of the Interior, to succeed Mr. Bliss, gives rise to the hope that we are about to have an administration of Indian affairs more in accord with reform principles and the welfare of our wards.

Can We Trust Our Army To Spoilsmen?

BY CHARLES J. BONAPARTE.

THE hardworking, clear-headed old man, homely and caustic of speech, perhaps mildly cynical, but withal kind and generous, who typifies in fable and caricature the American *aemos*, has, in truth, little liking for the job of a conquering hero; the tall, white hat he wears, may be neither elegant nor picturesque, but it constitutes a far more comfortable and healthful and a prodigiously less expensive form of headgear than a laurel crown, and he already shrewdly guesses, I fear he may soon know from experience, that there is more than a fair chance of finding among the spoils of victory a choice albino of the genus *elefas*. But Uncle Sam has also a terrible propensity for seeing things as they are; for this, as a source both of strength and of weakness, have men of English speech been noted in all ages, in this have they differed most from Spaniards and Frenchmen and Germans, namely, that they live, not in memories or hopes, in ideas or theories, but in facts. It was emphatically a Yankee poet who said:

"Trust no future, howe'er pleasant ;"
 "Let the dead past bury its dead ;"
 "Act, act in the living present,"
 "Heart within and God o'er head."

Now our good Uncle Sam sees in the world of the living present a world wherein

"Strife comes with manhood as waking with day ;"
 wherein the happiness, nay the continued life, of every man is the prize of an endless conflict, and wherein the weak go pitilessly to the wall; wherein, among communities of men, the strong one armed holds what it hath secure, and the one not strong or not armed (for in modern times the terms tend daily to be more nearly equivalent in meaning) holds what it hath on sufferance until coveted by a stronger. He sees in the

world of Peace Societies and Arbitration Leagues the world of a future, a future doubtless pleasant, but no more to be trusted than is any of its kind. He sees this just as an Englishman could see that Richard Plantagenet, Charles Stewart or George of Hanover, by whatever name called, was yet only a man, with no less than his share of human frailty and human passion, while to a Frenchman of the *ancien régime* it was well nigh an article of faith to find in one anointed at Rheims a Saint Louis, even when named Louis XV. He sees further that in this world of the present, this world which, after all, God o'er-head has made, not in a world of the future seen by kindly men in day-dreams, he must live and do his appointed work; and, so seeing, if perchance some part of that work is to be done in arms, he will do it, not, indeed, with a light heart, but yet well, so well that there will be no need to do it over again.

And he certainly does not believe a saying, now often quoted to various ends and in various senses, but true in none; the American people will not be readily convinced that "War is Hell." I have said that, as a people, we do not live in memories, but some memories do enter into our national life; it will be a changed nation which shall recognize in Washington a mortal Beelzebub, and in the men who left their homes to fight at Bunker Hill, suffer at Valley Forge, conquer at Saratoga or Yorktown, demons in training. In a great school of self-sacrifice and obedience there is little to recall the eternal prison house of rebellious spirits, crushed for their disorderly ambition.

I have said so much to show my own standpoint and to whom I would now speak; I address, not those who think the counsels of Washington "out of date" or "behind the times," based upon principles of national policy which the greater statesmen of our day have "outgrown;" nor yet those who think Washington's example one to be shunned and Washington's profession one unworthy of a civilized or a Christian man, but those of my fellow-countrymen (numbering in my opinion certainly nine out of every ten of them) who have no longing for wars or conquests and view with distrust and misgiving our adoption of a meddlesome, visionary foreign policy which leads to these, but who know that, while men remain neither better nor worse than men, there will be times



when the sword must be drawn, and know, moreover, that often it can remain in the scabbard because, and only because, it is, and is known to be, sharp and ready to the hand which shall wield it. And, speaking to these, I propose to ask and answer two questions of profound interest to them as to me—Can the country's safety and honor be trusted in the care of our present public men? And, if these be unworthy of such trust, whence springs their unworthiness?

When Congress in April last demanded the immediate abandonment by the Spanish Crown of a territory which for four hundred years had formed part of its dominions, this action was, in at least one respect, absolutely without precedent in history; never before, so far as I know, had any government, intentionally and with knowledge, adopted a course which made war inevitable and the moment of its outbreak a question of hours, with nothing which could be called by the widest stretch of imagination or courtesy an army to sustain the issue thus raised. Yet this was then literally true of the United States; our regular army consisted of less than 27,000 troops, scattered over a territory as large as all Europe, and even these, as the event soon made painfully apparent, were wholly unprepared to take the field. As a so-called reserve, we had about 105,000 organized militia, on the whole a useful and meritorious force for its legitimate purposes (although its utility and merit varied greatly in different localities), but neither intended nor fit for active, and especially for foreign, service. Indeed, to call it a "reserve" at all, in any military sense, is hardly more appropriate than would be the same term applied to the police of our cities or the *posses* at the command of our sheriffs. As a body, it was not subject to the authority of the President or even of Congress, and, in fact, no company had a legal organization a foot beyond the borders of its own State. Moreover, it constituted at best, if not the literally raw, the less than half baked material of an army. The progress of civilization has not yet enabled us to dispense with mothers, so students of biology should be ready to admit that there may be in males of the species *homo sapiens* a latent hereditary passion for millinery and mantua making, for which, in civil life, they can usually find only the imperfect gratification derived from footing bills; nor is it surprising that this should render the young male of the same animal prone to

perambulate in bright colored clothes and brass buttons, "toting" (as our Aunties would say) guns and swords and other shiny things, "to dazzle and dismay." All this is doubtless magnificent, especially to the heroes' partners at the German, but it is not war; and if it be a school for war, it is hardly more than a kindergarten.

From what I have just said, it must not be supposed for a moment that I am inclined either to undervalue our National Guard or to sneer at those of its members who formed the nucleus of our improvised army last Spring. With the First Congress, I recognize "a well regulated militia" as "necessary to the security of a free State;" in the readiness wherewith so many thousands of our young men left their homes for a war, which, as I have reason to think, a large majority deemed unnecessary and unwise, in their cheerfulness and obedience under privations, all the harder to bear because plainly needless, and in the steadiness and gallantry displayed by substantially all of them who went into action, I see, perhaps, the most encouraging and healthful symptoms of our national life. It is, however, no less true that when Congress rushed into a war of aggression, this country, containing seventy millions of people, had not twenty thousand available soldiers.

A foreigner ignorant of the facts might conjecture from this astounding improvidence and levity that Congress did not expect the outbreak of hostilities or was ignorant of the country's plight or, perhaps, hesitated to sooner relieve this because unwilling to sustain the President in a warlike policy condemned by public opinion; in fact, Congress had been straining in the leash for months to make war inevitable despite the reluctance of both the President and the people, and one of the early measures introduced at its recent session was a bill to increase the regular army in time of war to a little over one hundred thousand men. For the consideration of this bill no time could be found during many weeks, while our Solons were relieving their pent-up bosoms of long diatribes against the Civil Service Law; at last it received attention only to be summarily rejected because some officers of the National Guard had (or were alleged to have) exhibited the almost incredible ignorance, presumption and vanity to claim that they could do all the fighting there might be to do. Another bill to authorize the trifling addition of some one thousand six

hundred men to the artillery, although finally passed, was debated and opposed as though peace had been assured for a century.

A more plausible explanation, which will perhaps be one day added to the number of those lies made truth by History, is that Congress relied with confidence and reason on overwhelming naval superiority to give time for adequate military preparations after war had been declared. It is, in the first place, extremely doubtful whether more Senators or more Representatives than can be counted on one's ten fingers had formed, or were capable of forming, any intelligent opinion as to the relative strength of Spain's navy and of ours, or had ever given five minutes' thought to the subject. It is to be noted, secondly, that in fact no such disparity of force existed, or, at all events, was supposed by competent judges to exist, when the war commenced. On the Continent most European experts thought the navies were not unfairly matched; some thought the odds, on the whole, a little against us. An experienced and highly meritorious American officer, whose views I obtained, whilst predicting our victory, said the Spaniards had three really effective fighting ships to our one. Finally our politicians did not hesitate a few years since to offer grave provocations to Great Britain respecting a matter of no more moment than the Venezuelan boundary, with no thought of her immense naval strength, with no semblance of preparation for defence and with no controversy among themselves except as to which party was entitled to the greater credit for thus exposing the country to imminent risk of humiliating disaster.

It may be worth a moment's pause to fully realize the national danger involved in this incident, and which we escaped through no wisdom of our rulers, but solely through the wise forbearance of the government and people we so lightly challenged. Much is now said as to whether we should or should not persist in our "isolation" by those who forget that, in a military sense, this isolation is already, in great measure, a thing of the past. With our shores but six days' space from the harbors of the Old World, the transportation hither of 50,000 troops would be a less task for the navy and mercantile marine of England than was that of General Ross' brigade in 1814. Our present Secretary of War is said to have replied when asked, a year or more since, what we

should do if at war with one of the great powers: "In thirty days the United States could place in the field millions of men and back them up with a wall of fire in the shape of veterans." Last summer, with this modest and judicious patriot in the War Department, not thirty, but sixty days after the war commenced, more time, be it remembered, than separated the declaration from Sedan, far more time than separated the declaration from Sadowa, we placed in the field, not "millions," but barely sixteen thousand men, and so neglected these that a well-informed, if somewhat unfriendly, foreign critic could say and say truthfully:

"Here, at the end of the nineteenth century, one of the richest nations on earth, one of the most intelligent and one which poses as being amongst the most civilized, sends out a small army to fight, but shows herself unable either to feed the soldiers that fight for her, tend the wounded that bleed for her, or bury the dead that die for her."

In the light of this experience, I do not know, nor am I much interested to know, what General Alger may think on the subject, but I ask any one of my present hearers, I ask any intelligent and fairly educated American, had we become involved in war, as we became involved in controversy, with a power having, not merely 50,000 troops ready to embark at a week's notice, but unquestioned command of the sea and almost unlimited resources in shipping, could any city of our seaboard have reasonably expected a better fate than befell Washington, could any have reasonably hoped to make so stout a defence as did Baltimore eighty-four years ago? As for the General's "wall of fire," it is formidable enough, no doubt, to the Pension Office; its "bricks" or "sparks" (whichever may be the proper metaphor) have levied huge contributions from our Treasury, but, like the Claudii, their

"... yoke has never lain on any neck but ours,"

and it is quite safe to assume that it never will.

The true explanation of this apparently inexplicable behavior of Congress is disgracefully simple; its members (with some honorable exceptions, which but prove the rule) are indifferent to the prosperity, the dignity, the security of the country they govern. Like Mr. Flannigan, of Texas, they might ask in astonishment, "What are we here for?" were it sug-

gested that they give time or thought to questions of diplomacy or national defence, or anything except office-mongering and electioneering. Their hearts and lives are given to the task of quartering on the taxpayers for support as many as may be of their relatives and dependents and hangers-on of high and low degree, preferably such as are too lazy, stupid or vicious to support themselves; for anything else, unless it be the retention of their own places, they have but the leavings of their time and the dregs of their energy. This was curiously illustrated by their action respecting the additions to the clerical force of the War and Treasury Departments made necessary by the war. This increase was, of course, indispensable if the vastly augmented work of these departments was to be properly performed, but their efficiency did not really interest Congress; what the members had at heart was the following clause in the Urgent Deficiency Bill, adopted as an amendment by the House of Representatives on June 20th last:

"The temporary force authorized by this section of this act and the clerical force and other employees appropriated for in the act to provide ways and means to meet war expenditures, and for other purposes, approved June 13, 1898, and the act making appropriations to supply deficiencies in the appropriations for the payment of pensions and for other objects for the fiscal year 1898, and for other purposes, approved May 31, 1898, shall be appointed for a term not exceeding one year, as authorized, respectively, without compliance with the conditions prescribed by the act entitled "An act to regulate and improve the civil service," approved January 16, 1883.

In moving this amendment, Mr. Cannon, of Illinois, made the following statements:

"... Your committee on investigation found that it was not practicable to call into motion the machinery of the Civil Service Commission for the purpose of making these appointments. It was necessary to have the force and to have it at once. Further than that, we were told, Mr. Chairman, that the machinery of the Civil Service Commission could not be invoked without damage to the Commission itself and damage to the so-called Civil Service Reform, because it is not adapted to the employment of emergency or temporary people. And when you undertake to make it grind out

something that it is not adapted to and not intended for, and which does not come within the alleged evils for which the law was originally passed, you do not improve the character of the employees you acquire under it, and you only work injury to the reform itself. Therefore, from every standpoint, we found it much better, after the very fullest investigation we could give to the matter, to report this provision in the pending bill."

Every allegation of fact thus made was a falsehood. The Committee had not made "the very fullest investigation" on the subject; apparently it had made no investigation at all; certainly it had addressed no inquiry to the Civil Service Commission itself. It was perfectly "practicable to call into motion the machinery of the Civil Service Commission for the purpose of making these appointments;" indeed, they could have been thus made, not only far more satisfactorily, but also more rapidly than in any other way or than they were in fact. There were at the time thousands of eligibles on the registers of the Commission, and any desired number could have been certified for appointment within a few hours. It was absolutely false that "the machinery of the Civil Service Commission . . . is not adapted to the employment of emergency or temporary people"; it has been used repeatedly for this purpose, and always with entirely satisfactory results; as instances, for several years the Railway Mail Service voluntarily selected its temporary weighers from the list of eligibles, and the temporary force of extra compositors employed in the Government printing office during the sessions of Congress are so chosen, more than a hundred being often appointed in a single day. Moreover, Mr. Cannon either knew what he said to be false or had made no attempt seriously and in good faith to learn the facts, whilst claiming to speak "after the very fullest investigation."

However, our statesmen got the places for their henchmen, and a precious lot of incapables they foisted on the Government! Some five hundred and sixty were appointed in the War Department alone. It is claimed on behalf of the Secretary of War that for the acknowledged incompetency of many among these five hundred and sixty he was not to blame; "he was obliged to rely upon the representations made to him by those who sought appointments. It was

impossible for him to make adequate inquiry into their qualifications." Nevertheless, he could have filled their positions with men whose "qualifications" had been ascertained by "adequate inquiry"; the Civil Service Commission stood ready to furnish the names of thousands of men thus tested, and a resort to their registers, whilst not *required*, was yet not *forbidden* by the law, although it would have disappointed the selfish greed of those who framed this law.

His excuse bears a close resemblance to that offered by the Surgeon-General for that deficiency in the care of the army which has most keenly touched the people. The same foreigner whom I have already quoted says further:

"All through the fighting of the army in Cuba there was a scandalous want of medical attendance. For this there was absolutely no excuse. Hundreds of medical men throughout the States had volunteered their services for the war."

Indeed, in his memorandum to the Investigating Commission, General Sternberg says:

"The number of applications has been so great and the personal visits of applicants and their friends so numerous as to constitute a serious embarrassment in conducting the business of my office."

Yet, although he had to give up so much of his time to "personal visits of applicants and their friends" (were there, perchance, a few Senators and Representatives and other influential politicians among these "friends"?), he admits that:

". . . . It has been impossible to make a careful selection, owing to the great pressure of business in the Surgeon-General's office, and the *urgency* has been so great that it has not been practicable to have examining boards to pass upon their qualifications."

Doubtless the "urgency" *was* great; the urgency, that is to say, of those men whose one thought in the nation's extremity was to find berths at its cost for themselves or others in their interest; and "urgent" people of this kind with a "pull" would object strongly to "examining boards to pass upon" the "qualifications" of their *protéges*. Doubtless they would deem such boards "un-American" and "Chinese." Examinations of any kind are very distasteful to our statesmen. But the fruits of such "urgency" on their part, and of such

yielding to it on his part, were grim enough. In the words of my critic:

"There are times when blundering incompetence attains the dignity of crime. Those who were responsible for the management of the Army Medical Department have the blood of many of their fellow-countrymen to answer for. Sick men were hurried to their death by stupid mismanagement and the want of ordinary hospital care, while numbers of wounded men were practically murdered by neglect. No one who has not actually witnessed the scenes of this war can realize its tragedy."

As an instance of this "tragedy" he adds:

"Three days after the fight at San Juan the body of a man was found sitting up under a tree; his head had fallen on his right shoulder; his water bottle was at his side empty; in his right hand he held a photograph of a woman—evidently his wife, and in his left a photograph of a group of four children. He was shot through both knees, but had evidently been able to drag himself under the shade of the tree, and there waited for someone to stanch his wounds and attend to him; but, as was the case with so many others, nobody came."

General Sternberg says of cases such as this:

"It has not been the expectation of the medical department that every wounded man would receive immediately the attention of a surgeon."

Perhaps, then, three days is not an unreasonable time for him to wait, and, of course, it would be altogether captious to complain of the case reported by Captain Lee in *Scribner's* for October of a man shot through the stomach at eight in the morning, and left lying in a great pool of his own blood, with no care but that afforded by a badly wounded comrade, until one in the afternoon, and how much longer the narrator could not say—in all human probability until his death. It is noted by the writer whom I have so often quoted already:

"In General Shafter's official account there were eighty-one reported missing after the fighting in a few days about San Juan. General Shafter significantly remarks that most of those may be taken as having been killed."

He adds:

"I quite agree with him. They were killed—many of them were murdered by neglect."

I have said of this writer that his bias is decidedly unfriendly towards Americans; nevertheless, I think few fair-minded people will question the justice of his general conclusion thus expressed:

"Looking back at all the operations around Santiago, the Americans may feel proud of the bravery of their Regulars and some of the Volunteers, notably the Rough Riders. . . . The way in which men of all ranks, both Regulars and Volunteers, bore severe privations without murmuring is beyond all praise; but, having said that, I think there is nothing else connected with the American Army of which the people of the United States should not feel thoroughly ashamed."

He adds:

"When speaking about it to intelligent Americans I am always met with the same reply, 'that politics were at the bottom of it.'"

He had previously remarked the frequency with which he had heard it said of volunteer officers:

"So-and-so got that place because he was very useful during the late campaign."

Adding:

"For a few days I was rather under the impression that the campaign referred to was the last Civil War, but then discovered that it was the late election campaign that was meant. Men were placed in responsible positions, not so much upon their qualifications as on account of the services they had rendered to their party. The disastrous results of this system have been evident throughout the war. The political bosses had the appointment of men to the highest positions of the army and the army departments."

And what he and others saw at Santiago was the experience of competent observers elsewhere. Thus, in a very interesting unpublished narrative of personal experience at Chickamauga, prepared by an unusually well-informed and intelligent volunteer, which I had the opportunity to examine, the writer asks;

" . . . why a whole army corps should have been placed under the medical care of a man whose only recent professional affiliations were those of a veterinary? Were no competent surgeons to be found whose interest in humanity was undivided? Or was this, after all, a case of pull?"

Leaving this question to be answered by the Investigating Commission, he goes on to give many instances of obvious unfairness and favoritism. Thus he says:

"I have seen in one hospital a fourth year student in medicine kept twelve hours a day for several weeks merely emptying and cleaning bed pans, while men who knew absolutely nothing of medicine or drugs were nursing. Under such a *régime* as this, the worst kind of neglect could arise, and often did. It was common talk at one hospital how one poor fellow lay in his cot with parts of his body already covered with maggots before the merciful hand of the Angel of Death ended his suffering on his bed of filth. Another case of injustice was in placing the son of one of America's greatest surgeons, who had been his father's assistant, in charge of the ice-chest at a division hospital, where he handled milk and ice, while working in the typhoid wards were men who could not read a prescription, take a temperature or give a bath. Is it any wonder that under such conditions as these typhoid fever spread and increased? With this lack of sanitary precautions, and with men often totally devoid of medical attainments put over the sick, it is fortunate that things were not much worse even than they were."

His conclusions deserve our careful consideration:

"Much of our lack of preparation, in the medical department as well as in every other department, grew out of the long-cherished idea that our situation insured national safety. And we never seriously contemplated a campaign beyond our shore line until this emergency arose. This, however, does not wholly explain the disastrous results growing out of disease. It is notorious that appointments were made without proper consideration of the candidate or of the work he was expected to do. It is beyond doubt that some of the appointments were made solely because of the influence those appointed were able to bring to bear through political channels. The feeding and clothing of this army, which represented the very flower of our population, and the care of our sick was sometimes entrusted to men who were absolutely untried and who had never shown that they possessed the requisite executive ability or special training. Even when the deadly emergency was upon us, the best available material was often allowed to remain unutilized, because less competent persons stood in the

way. Such a condition of affairs is an instance of the danger of the spoils system, and it is also an arraignment of it."

Its "arraignment" is, however, yet more formidable when we consider the treatment of our army at the hands of the Commander-in-Chief, given the latter by the Constitution. The first duty to the army which Mr. McKinley was called upon to discharge was the choice of a fit man as Secretary of War; but how did he discharge that duty? In other words, what manner of man did he choose? And why did he choose him?

In the first place, he chose a man with a military record; this, be it remembered, he was under no obligation either of law, custom or public policy to do. The office is a civil, not a military one, and although in most European countries it is habitually filled by a soldier, the wisdom of this arrangement is by no means indisputable; the great "organizers of victory" have been civilians. But if the President saw fit to select as the administrative head of the army a man with a military record, he was under a manifest obligation to choose one with at least a clear record, that is to say, with such a record as his own; it was equally indecorous and impolitic to place in authority over soldiers a man whom most soldiers regarded with suspicion and contempt, and such a choice was the more unpardonable on the part of one who had been a soldier, and a good soldier, himself. Now, General Alger, as a soldier, comes before the public somewhat as Hood's Count came to marry Miss Kilmansegg, "not under a cloud, but in a fog;" he may have been treated with injustice, perhaps he was the victim of circumstances or else of prejudice or personal dislike, but I merely state notorious facts when I say that his service in the Civil War had been marked by unfortunate incidents, subjecting him to serious imputations, which may possibly have been unfounded, but none the less affected his standing with military men; and that he was further suspected, again perhaps unjustly, but on grounds, at least, plausible, of an attempt to misrepresent or conceal these incidents when an aspirant for the Presidency; and, finally, that, although he had some friends in the army, he did not enjoy its general respect and confidence. In studiously picking out a man of these antecedents for the place he thus filled Mr. McKinley showed, I will not say a defiance, but, at least, a disregard of professional opinion,

differing widely in degree, but not in kind, from that exhibited by Charles X when he made the deserter of Waterloo his Minister of War.

The Secretary was, moreover, certainly past his prime and of uncertain health, and was not known to possess, or, at least, had never exhibited, any conspicuous administrative ability, or any conspicuous ability of any kind. His selection might well seem as incomprehensible to a foreigner as the failure of Congress to make any preparation for a war which it did everything to provoke, but the explanation is neither more obscure nor more creditable. General Alger will probably have the Michigan delegation to "deliver" in the Republican Convention of 1900, and he can do much to make the "Grand Army vote" serviceable both at primaries and at the polls; these reasons are no less sufficient to explain his retention; their weight is in no wise diminished by anything he has done or allowed to be done.

Of his official record I say little, not because there is little to say, but because there is little need to say anything. Two incidents, however, are sufficiently characteristic to deserve a word of notice. He received a confidential official letter from Col. Roosevelt, written with the approval of the latter's immediate superior, on a matter of grave public interest; this confidential official letter he published, together with a silly and disingenuous reply on his own part, because he foolishly imagined that its publication would injure the political prospects of its writer; would "lay-out Teddy," to use the words attributed to one of his confidants. This petty exhibition of senile spite did not "lay-out Teddy," doubtless to the great surprise of the mighty mind which devised it, but it served to lay out very thoroughly, if any such process were needed, the few fragments of its author's reputation as a man of honor. Together with the Adjutant-General of the Army he has been virtually accused by its ranking General of causing or permitting official communications to be garbled or suppressed in a published correspondence for the paltry and ridiculous purpose of misleading the public as to that officer's relation to the Santiago campaign; apparently because he also was supposed by one or both of them to have a political ambition, and to need "laying-out"; not only have the parties thus accused taken no steps to secure an official investigation of this charge, but the

President, seemingly in their interest, has carefully excluded it from the scope of the enquiry which he was at last goaded or shamed into ordering. Mention of the Adjutant-General here calls to mind a curious and significant episode. A special act to authorize his promotion was introduced in Congress, with, it was said, the cordial approval of the President. It may have been no more the fault of this officer that he was kept from the field than that he came from Ohio, but it seemed strange that a soldier who had never left Washington should be singled out for prompt and peculiar honor, especially when, to say the least, the administration of his office had not been either conspicuously successful or conspicuously popular. Here, again, however, the explanation is not difficult: like the Surgeon-General, he had been compelled to give up most of his time and strength, not to his legitimate duties, but to the solicitations of influential politicians for favors of all sorts, and so exhausting were his strenuous efforts to satisfy their "urgency" that later in the summer he was said by the newspapers to be threatened with nervous prostration.

Many thoughtful and patriotic citizens view with anxiety, indeed with alarm, the new and grave responsibilities imposed upon the United States as fruits of the late war. A gentleman for whom I have great respect recently wrote me that he regarded Civil Service Reform as a matter of altogether subordinate importance compared with issues arising from these responsibilities. I could not agree with him; I regard the thorough and practical realization of that reform in all branches of our government as no less indispensable to the nation's safety and honor than to the nation's tranquility and morals. To have our army worthy of its duty and of its past, we must protect it, just as we must protect our judiciary and our schools and everything we prize, from the taint of "spoils" politics: on this condition only can the "respectable establishment" which Washington deemed essential to our national defense be "respectable" in any sense of the term. Some, and among them some to whom we rightly look for guidance, fear lest, as with other republics both of the past and of the present, we may sacrifice our liberty and prosperity to dreams of foreign conquest and military glory, lest the time come "when every American workman shall carry a soldier on his back." For me, that is not our peril; the

honest American of every condition in life, in my eyes, is a Sinbad already, but his burden is a loathsome "spoils" politician, reeking with the contagion of moral vileness. We must free our country from this miserable bondage; if that can be done, her soldiers will be in the future, as, after all has been said, they have always been in the past, those among her children of whom she has least cause to be ashamed.

THE CENSUS BUREAU.

TO THE NATIONAL CIVIL SERVICE REFORM LEAGUE :

Your Special Investigating Committee, which examined among other things, the question of the desirability of classifying the Census Bureau, begs leave to report : s follows :

On March 16th last, Senator Chandler introduced a bill for taking the twelfth and every subsequent census. Section 3 of the bill provided that the employees of the Census Bureau should be appointed according to the provisions of the Civil Service Act. The bill was referred to the Census Committee, and when it was reported Section 3 was stricken out, and a provision substituted that the employees should be appointed "according to the discretion of the Director of the Census, subject to such examination as said Director may with the approval of the Secretary of the Interior prescribe, and not otherwise."

The purpose of the Committee's substitute is to repeat the unfortunate experience of the last census in making the clerks and the employees of the office subject to political patronage. We desire to call attention to the evils which have resulted from this course, in

- 1st: The increased extravagance of the Bureau ;
- 2d: The demoralization of the force employed ;
- 3d: The worthlessness of a census so taken.
- 4th: The lack of public confidence in its accuracy and impartiality.

I.

The last census cost \$10,620,000 (Cong. Record, December 16, 1897, page 214). The amount paid for salaries alone was \$5,120,000. Mr. Carroll D. Wright, Chief of the Department of Labor, who had charge of the last Census Bu-

reau for some years after the retirement of Mr. Robert P. Porter, as Superintendent, estimates that two million dollars and more than a year's time would have been saved if the Census force had been brought into the classified service. (Letter of Carroll D. Wright to Henry Cabot Lodge, Record of December 16, 1897, page 174.) Mr. Wright adds: "I do not hesitate to say that one-third of the amount expended under my own administration was absolutely wasted, and wasted principally on account of the fact that the office was not under Civil Service rules. . . . In October, 1893, when I took charge of the Census Office, there was an office force of 1,092. There had been a constant reduction for many months and this was kept up without cessation till the close of the census. There was never a month after October, 1893, that the clerical force reached the number then in office; nevertheless, while these general reductions were being made and in the absence of any necessity for the increase of the force, 389 new appointments were made."

That is, new appointments were made to a force where they were not needed, the new men replacing experienced clerks, and, in the words of Senator Lodge, "filling the office with beginners at the close of the work." This was manifestly done because these appointments were allowed to be political.

Mr. Porter disputes the estimate of Mr. Wright that the waste was as much as two million dollars from this cause alone. But whatever the precise amount, it was certainly very large; so large that it is the manifest duty of Congress to see that it does not occur again.

II.

In respect to the demoralization and inefficiency of a force selected upon the patronage plan, Mr. Porter himself now concedes the necessity of placing the Census Bureau in the classified service. For, in his article in the *North American Review* of December, 1897, he enumerates among the faults of the present system the following:

"Placing upon the shoulders of the Superintendent, whose mind should be fully occupied with his experts in planning the work, the responsibility of the appointment of an office force of several thousand clerks."

Mr. Porter suggests as a remedy:

"Making the Census a permanent office of the Government and applying to it precisely the same rules and regulations as to the employment of clerical help that are in vogue in the other Departments. If this were done," he says, "special Civil Service examinations might be held for the work prior to the time the clerk would be needed, and the Census Office would then have a sufficiently large eligible list to draw from. In 1890 I accepted Civil Service examinations of the higher grades, but that did not do away with the necessity of examining 2,700 clerks in the office, and this with the work of appointment, literally took up all the time of the Superintendent, whose mind should have been free for his purely statistical duties. . . . And then why transform the Census Office at its busiest season into an examination department for clerks, and the Director of a vast scientific investigation into a dispenser of political patronage. It is simply unjust to such an official. Having passed through the ordeal once, I am satisfied that the other way is more practical and in the end will be better for all concerned."

This declaration of Mr. Porter's experience is timely, if it will prevent the repetition of such a calamity.

Congressmen were advised systematically of the number of positions at their disposal. Mr. Porter kept regular books of account, charging each of the Congressmen with the number of appointments made at his request. Our Chairman has recently examined two of these books. In one of them, the appointments are classified according to States, and in another they are charged to the particular Congressman who solicited them. The latter book is a ledger of over four hundred pages. At the head of each page appears the name of the Congressman charged with the appointments. In the left hand column are the numbers of the files containing the recommendations and credentials. Then follow the names of the appointees, and then the grades and salaries. By means of this book the relative rights of members of Congress could be adjusted, and it could be seen at a glance whether any particular member had overdrawn his account. After a Congressman retired, the clerks appointed by him held their places by a precarious tenure, and frequently, perhaps generally, had to make way for persons appointed

and protected by the influence of his successor, or some other Congressman, for in this ledger, following the accounts kept with existing Congressmen (a page to each) is the list of the appointees of ex-Congressmen all thrown together, as though to be the subjects of early decapitation. We are informed that there are other books of the same character as this ledger, in the Census Office, covering other periods of time.

It would be hard to find a better illustration of the working of the patronage system than is presented by this book, where appointees are classified as in a live-stock register as the property of particular Congressmen, but without reference to their records and individual qualifications. We frankly and gladly recognize the fact that there are members of Congress who did not approve this debasing system, and who will not now.

Patronage of this kind does not secure the political advantage which is supposed to be its object, for the most severe defeat ever sustained by the party then in power, occurred at the close of the very year that these appointments were parcelled out among the representatives of that party in Congress.

Mr. Porter testified that the appointees were, as a rule, recommended by Republicans. This rule, however, was not universal. There were Democrats who received a share of the appointments; perhaps where their votes in Congress were serviceable upon appropriation bills or otherwise. With this system of log-rolling in force it is not hard to understand how the enormous appropriations for taking the last census amounting to \$10,620,000 were secured. Indeed, Mr. Porter stated some time since to our Chairman that if he had it to do again, he would select his clerks by Civil Service examinations, "even though the other plan *had* greatly smoothed the way to the passage of appropriations and other friendly legislation."

The plain English in regard to such transactions is that such legislation was bought with offices, and that the salaries of these offices were paid for out of the people's money. It was the people's money which paid for the keeping of the very books in which these transactions were recorded. Under such a system extravagance was a necessary result.

What was the character of the service under this patronage system? Shortly before Mr. Wright took charge of the Bureau a large number of discharges of those then holding positions

were made, on account of their lack, not only of ability, but of moral character. Doubtless there were many excellent persons who secured employment by patronage methods, but it was in spite of this system of barter and corruption, by which the places in this Bureau were filled. Under the competitive system it is at least impossible that applicants will get their places *because of* corruption or immorality. When appointed through favoritism this is not seldom *the very reason* for their appointment. Moreover, when a clerk or other employee owed his place to the favor of some Congressman, his loyalty was considered to be due, not so much to the Chief of the Bureau and to the public, as to the particular "influence" which secured the place. Removals from the Census Bureau even for just cause became difficult, therefore, and often impossible. Persons dismissed for inefficiency or misconduct, were actually reinstated against the will of the Chief of the Bureau himself, at the demand of some political friend, too powerful to be offended.

If the Census Bureau is not now put under a strict system of competitive examinations, the effect of the elections in 1900 must also be considered. Hardly will the Bureau have been put in running order before the campaign will have begun, and if the spoils system prevails the whole force will be affected by the political turmoil, connected first with the nominations for Congressmen and President, and then with the elections. Wherever the "influence" of the employee is defeated the employee himself will be discharged, while if a change of party ensures the whole Bureau will have to be reconstructed with untrained material at the most critical period of its work.

III.

The lamentable results of the patronage system are shown in the defective enumeration of inhabitants made in the last census. As a rule, the supervisors were chosen for political reasons, and the supervisors selected the enumerators. True, it was provided by law (Section 4, Act of March 6, '89) that the enumerators should be chosen for fitness and without reference to party affiliations, but this became impossible when the supervisors were chosen for political reasons. The enumer-

ation was perverted in many places into an information bureau for party candidates.

The supervisor at Buffalo, New York, addressed the following circular letter to his enumerators:

"OCTOBER 28, 1890.

"As it is of the utmost importance that a Republican member of Congress be elected in this district, I shall feel personally obliged if on the day of election you will work especially for Benjamin H. Williams, the Republican candidate.

[Signed]

SILAS H. DOUGLAS."

In Geneva, New York, Congressman Raines secured the appointment of enumerators with the view of enhancing his political fortunes. He addressed to one of them, and probably to many others, the following letter:

"MY DEAR SIR:—As it is quite likely that you will in a few days be appointed enumerator for your district, I write you this in the strictest confidence. I would like very much that you should take the trouble, before you make your report to the Supervisor of the Census, and after you have taken all the names in your district, to copy in a small book *the name and post office address of every voter* on the list. After you have done so, I wish you to send the book to me at Canandaigua. I ask you to do this as a personal favor, and to make no mention of the matter to anyone. What I want is a *full list of all the voters* in your enumeration district. Will you please treat this matter as strictly confidential?

[Signed]

"Very truly yours,
J. RAINES."

Mr. Raines stated to our Chairman that he had sent this letter in ignorance of the law, which required enumerators to keep secret the results of the enumeration. In many other cases, for instance, at Bloomington, Indiana, enumerators were chosen on the recommendation of the chairman of the Republican County Committee, and made poll lists for the Republican party.

The evils of patronage were clearly apparent in New York city. Charles H. Murray was made Supervisor of the Census. He wrote the following circular letter which shows his manner of selecting enumerators.

"DEAR SIR:—You will please forward to this office a list of the applicants that the Republican organization of your district desires to have named as Census enumerators. The list must be sent here on or before April 1st."

General Walker who took the Ninth and Tenth Census says: "If the selection of the enumerators was made upon any such basis as that, the census could not have been otherwise than bad." Many of the men thus appointed were utterly unfit. The Police Inspector named one, a thief, who had been three times an inmate of the State Prison, a man whose name was known to all the city detectives, whose picture was then in the Rogues' Gallery, and whose dealings with the Census Bureau were under an alias; yet private houses were opened to him under Government endorsement.

New York was a Democratic city, and there was strong reason for believing that the count had been defective. The Police Department re-counted the city and found the population two hundred thousand greater than that showed by the federal census. The police count was sent to Washington where Mr. Kenney, its custodian, offered it for comparison with the census enumeration and a recount was asked, but refused. Then a copy of the federal census for the Second Ward was procured and compared with the police enumeration. The federal list contained 826 names, and the police enumeration 1,340 names,—a difference of 45 per cent. Affidavits were furnished showing the residence of 328 persons not enumerated in the federal census. Our Chairman inspected the police enumeration, as well as the federal census, and a comparison of the two lists, followed by a personal investigation in the ward, indicated that great numbers of the residents of this ward were omitted in the census. There can be no doubt but that many thousands of inhabitants of New York were omitted from the census, and the patronage system was directly responsible for these omissions.

One of those engaged in the taking of this census thus describes some of the facts which came under his personal observation:

"In a section consisting at one time of twenty-one people who were engaged in the mailing department of the office, addressing envelopes, mailing bulletins, and other duties incident to the mailing department, there were only four people, other than the chief of the section, who were available for any character of work whatsoever. Three clerks were absolutely demented; three were, by reason of being maimed, wholly unfit to be of any service; two, by reason of disease

(consumption), were valueless; two, being sons of chiefs of division in the office with a "pull," were immune; the other six were wholly worthless by reason of age or disinclination. It is but fair to say that this condition did not last throughout the period of the taking of the census. The larger number of these people, however, served more than two years, and several of them for a much longer period. It would seem that this particular section was the Botany Bay of the Eleventh Census, but the same state of affairs existed in a lesser degree throughout the office. It needs no argument to convince one that this state of affairs could not exist under the 'merit' system established under the civil service act and rules. Being appointed as skilled laborers, these people were not required to take an examination, although doing clerical work.

Another feature of the work of the Eleventh Census which makes clear to my mind that the next force should be selected from those who pass a competitive civil service examination was the exceedingly large percentage of errors made, particularly in the punching of cards. All of the data relating to the census were transferred from the originalschedules to cards, each hole punched in a card representing some material fact, such as 'native born,' 'foreign parents,' 'white or colored,' etc., etc., in some cases as many as thirty or forty facts being indicated by punches on a single card. The symbol representing each condition or fact must be carried in mind, or else the progress of punching the cards would be so retarded as to make the electrical punching machines of little value. I think it will be readily conceded that a clerk doing this character of work should be a person of good mind as well as a skilled clerk.

There was at all times a 'Division of Revision and Results' in the office, consisting of a chief and from thirty to seventy of the best clerks obtainable. Notwithstanding this check upon error, it was found necessary to establish a section of about seventy people to look after the errors of punching cards alone. Here we find as many as one hundred and forty people whose time was wholly devoted to correcting faulty work. Errors, of course, would unavoidably creep into a work of the magnitude of the Eleventh Census, but I believe that a careful selection of the clerks under the rules of the Civil Service Commission would have tended to minimize

their number. Notwithstanding the 'Revision' division and the 'Error' section before spoken of, it was found at the very last moment before the publication of the final results that the work was so inaccurate that the portion of it relating to occupations (see report of Commissioner of Labor, in charge of Eleventh Census, June 30, 1895, pp. 4, 5) had to be subjected to still another revision, which delayed its publication for more than a year. The expense incident to this was great, owing to the fact that all other census work had been completed, and the office remained open only to complete that section of the report on 'Population, and Vital Statistics Relating to Occupation.'

Considerable stress is laid upon the fact that examinations were held in the office to test the fitness of clerks before they were employed. I beg to suggest that the highest number of clerks employed at any time numbered about 3,200. Of these, only about 1,700 were examined. The larger part of the working force of the office was, in point of fact, never subjected to an entrance examination. Only the high-grade clerks, namely, those from \$900 per annum up, were required to pass the entrance examination. It can be readily shown, as I suggested above, that the greater part of the clerical work was performed by what were termed 'skilled laborers,' who received \$600 per annum only, and were exempt from examination."

IV.

The census ought to be as free from partisan color as the Judiciary. Otherwise, no one can rely upon the accuracy of its conclusions. To gain the confidence of the people, it ought to be not merely fair and just, but free from even the appearance of corrupt or partisan influence.

If the government has a free choice between a non-political and a political agency for taking this enumeration, and chooses the latter, composed of officials of its own political faith, the presumption is against the fairness of a census so taken. And even if it were fair, many would not believe it to be fair. Suspicion is cast on such a census in advance of enumeration; and if, at the close of the work, inaccuracies are shown, resulting in some cases in advantage to the party by which it is taken, the work is sure to be discredited.

All of which is respectfully submitted with the recommendation that the efforts of the League be directed immediately toward gaining the support of the country and of Congress for the classification of the Census Bureau under the civil service rules.

(Signed)

WM. DUDLEY FOULKE,
Chairman.

CHARLES J. BONAPARTE.
RICHARD H. DANA.
HERBERT WELSH.
GEORGE MCANENY.

BALTIMORE, DECEMBER 15, 1898.

CONSTITUTION
OF THE
National Civil-Service Reform League.

I.

The name of this organization shall be the National Civil-Service Reform League.

II.

The object of the National Civil Service Reform League shall be to promote the purposes and to facilitate the correspondence and the united action of the Civil Service Reform Associations.

III.

The League shall consist of all the Civil Service Reform Associations in the United States which signify their willingness to become members thereof. Any association hereafter expressing such willingness shall become a member of the League upon its being accepted as such by the League or the Executive Committee. Any member of any such association may be present at any meeting of the League and take part in the debates or discussions as the by-laws may provide.

IV.

At any meeting of the League, each association belonging to it shall be entitled to one vote upon every question coming before the League; such vote may be cast by a personal representative designated by each association, or by proxy, as the by-laws may provide. If no such designation be made the delegates from such association present at such meeting, or a majority of them, may cast the vote of such association.

V.

The officers of the League shall be a President, Secretary, Treasurer, and nine Vice-Presidents; and there shall be a General Committee and an Executive Committee. The officers and the committees shall hold office until their successors are appointed or elected.

VI.

The President and Vice-Presidents shall be elected by ballot at the annual meeting of the League.

The Secretary and Treasurer shall be chosen, and may be removed, by the General Committee.

The General Committee shall be chosen annually, and shall consist of one delegate from each association belonging to the League; and one additional delegate for every two hundred members, or major fraction thereof, of such association as certified by its secretary. Each association shall elect its own delegates in such manner as it may determine.

The members of the Executive Committee shall be ex-officio members of the General Committee.

Any member of the General Committee may act by proxy.

The General Committee shall keep a record of its proceedings, and shall make a report to the League at the annual meeting. A vacancy in any office, except that of Vice-President, may be filled by the General Committee for the remainder of the term.

The General Committee may delegate to the Executive Committee any of its powers; provided, however, that it may at any time resume the powers so delegated.

The Executive Committee shall consist of twenty-one members to be elected annually by the General Committee and shall have power to fix its own quorum. And any member of the Executive Committee may act by proxy.

VII.

The General Committee may, subject to these articles, manage the affairs of the League, direct and dispose of the

funds, and may, from time to time, make and modify by-laws for the League and for its own action.

No debt shall be contracted, nor shall any appropriation of money be made, by the League or by the General Committee, beyond the amount in the hands of the Treasurer.

VIII.

There shall be an annual meeting of the League at such time in each year, and at such place as the General Committee may determine, at which officers shall be elected for the ensuing year, and other appropriate business may be transacted.

A meeting of the League may be called at the discretion of the General Committee whenever any association belonging to it notifies the Secretary of the League of its desire to have such a meeting, and the President may at any time call a meeting of the League.

IX.

Any provision of this Constitution may be suspended or amended by a vote of two-thirds of the members present at any meeting of the General Committee, due notice of such proposed suspension or amendment having been given at a previous meeting. Any association belonging to the League may, through its representatives, propose amendments to the Constitution which may be approved under the same conditions.



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PROCEEDINGS

AT THE ANNUAL MEETING OF

THE NATIONAL CIVIL-SERVICE REFORM LEAGUE

HELD AT

INDIANAPOLIS, IND., DEC. 14 AND 15, 1899.

WITH THE ADDRESS OF THE PRESIDENT,

AND OTHER MATTERS.

NEW YORK :
PUBLISHED FOR THE
NATIONAL CIVIL-SERVICE REFORM LEAGUE.
1899.

PRESS OF GOOD GOVERNMENT.

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ANNUAL MEETING
OF THE
NATIONAL CIVIL SERVICE REFORM LEAGUE.

DECEMBER 14 AND 15, 1899.

PURSUANT to call, duly issued, the nineteenth annual meeting of the National Civil Service Reform League was held at Indianapolis, Ind., on the 14th and 15th of December, 1899. Among the delegates in attendance during the several sessions were the following:

BALTIMORE: Charles J. Bonaparte, A. Marshall Elliott, Thomas H. White, D. C. Wood.

BOSTON: Richard Henry Dana.

BUFFALO: Sherman S. Rogers, Henry A. Richmond, Henry W. Sprague.

CAMBRIDGE: W. W. Vaughan

CHICAGO: John W. Ela, Edwin Burritt Smith.

CINCINNATI: Charles B. Wilby, Max B. May, Joseph C. Butler, Nathaniel H. Davis, H. M. Levy, Howard C. Hollister, Lawrence Maxwell.

CONNECTICUT: W. A. Aiken, Norwich.

INDIANA: Lucius B. Swift, William Dudley Foulke, Jesse C. Reeves, Evans Woolen, W. P. Fishback.

NEW YORK: Carl Schurz, Silas W. Burt, George McAneny.

PHILADELPHIA: Herbert Welsh, R. Francis Wood.

ST. LOUIS: A. L. Berry.

In response to invitations issued by the League to Municipal Reform Associations and other bodies having the

reform of the civil service among their objects, delegates were present from a number of such organizations, as follows ;

CLEVELAND :—*Chamber of Commerce* : William E. Cushing.

BOSTON :—*Massachusetts Reform Club* : Charles Warren, Samuel Y. Nash.

The morning session of the 14th, commencing at 10.30 o'clock, was occupied by a joint meeting of the General and Executive Committees, held at the German House.

The annual address of the President, Hon. Carl Schurz, was delivered at Plymouth Church, at 8 o'clock on the evening of the 14th. It is as follows :

RENEWED STRUGGLES.

An Address delivered at the Annual Meeting of the National Civil Service Reform League, at Indianapolis, Ind., Thursday, December 14th, 1899.

BY HON. CARL SCHURZ.

THE centennial anniversary of the death of George Washington which we observe to-day, cannot but be full of solemn admonition to every American. It has always seemed to me that the greatest historic value of Washington's career to the American people consisted not so much in the battles he fought and in the fortitude with which he upheld the cause of his country during the darkest days of the revolutionary war, as in the fact that as the first President of the United States he set up at the very beginning of our republican government a standard of wisdom, public virtue, and patriotism which has been, and will always remain, to his successors in the presidency as well as to all men in public power the surest guide as to the principles to be followed, the motives to be obeyed, and the public ends to be pursued. His wisdom was so unfailing that during the past century of our history this republic achieved its best successes as it walked in the path of his precepts, and it suffered its failures as it strayed away from that path. His sense of public duty—the duty of serving the true interests of his country as he understood them—was so genuine, strong, and courageous, that no adverse current of opinion, no fear of personal unpopularity, could shake

it. He was not without party feeling, but party was never anything more to him than a mere instrumentality for serving the public good. Nothing could have been farther from his purpose than to make the public service a pasture for personal favorites or an engine for party warfare. He was the very embodiment of the principle that public office is a public trust; and it is one of the greatest inspirations of our work that we are conscious of endeavoring to make the public service what he designed it to be. And from his lofty example we should learn that steadfastness of purpose which shrinks from no duty however arduous or unpleasing. Let us contemplate that which confronts us to-day.

The National Civil Service Reform League was founded to discuss the subject of civil service reform to the end of winning for it the support of public opinion; to promote the enactment of reform legislation by Congress, by the State Legislatures, and by Municipal governments, and finally to watch the enforcement of civil service laws and to keep the public truthfully informed thereon. For the performance of these duties it is essential that the League should be a non-partisan body; and I may truly affirm that it has faithfully and conscientiously maintained its non-partisan character. There have always been among its members Republicans, and Democrats, and Independents, differing in their views as to other matters of public interest, while agreeing as to the specific purposes of the League. Since the enactment of the National civil service law, the League has had to observe and criticise the conduct of five national administrations, three of which were Republican and two Democratic. However widely we may, during this period, have differed among ourselves as to the tariff, or imperialism, or the relative merits of parties or party leaders, we have always been of one mind as to the duty of praising in the conduct of each administration concerning the public service what was to be praised, or of criticising that which may have called for censure—praising or blaming in a spirit of perfect impartiality, and endeavoring to find and to tell

the plain truth without the slightest bias of favor or of ill-will.

The faithful performance of the unpleasant part of this duty has occasionally drawn upon us, now from Democrats and then from Republicans, the charge that we were chronic fault-finders—never satisfied, always discontented, sometimes even with what was done by officials who had themselves been classed among the civil service reformers. Those who make this charge do not consider that it is the first duty of this League to hold up the true standard of civil service reform, and to be dissatisfied and to find fault with everything that does not come up to that standard. If it failed to do this, it would not be true to the reason of its being. It would be as flagrantly guilty of dereliction of duty as a policeman refusing to repress a breach of the peace that happened before his eyes, or to give warning to the occupant of a house the street door of which he found open during the night.

I find myself impelled to make these remarks by the unfortunate circumstance that we are now confronted by the duty of discussing the attitude of the present national administration with regard to civil service reform under especially critical circumstances. As to its relations with President McKinley, we all know that this League accepted his early promises with warm demonstrations of confidence, and greeted with expressions of grateful approval every one of his words or acts that looked like a fulfillment of those pledges. It was profuse in its commendation of his order of July 27, 1897, concerning removals, although that order contained also the exemption from the competitive system of a much larger number of positions than it added to the classified service; and for a long time the League carefully abstained from public utterance of its misgivings as to the tendency of certain acts of the administration in order to avoid every possible injustice to the President's intentions. It lost no opportunity for respectfully inviting the President's consideration to such violations of the law and the rules as came to our notice, appealing to him for such exten-

sions of the merit system as the public interest seemed to demand, especially cautioning him against the issuing of the recent civil service order of May 29, 1899, while that order was only in contemplation, submitting to him urgent arguments against it and predicting what the inevitable consequences would be. Thus the League has done its full duty to the President. And I may add that if, upon mature reconsideration, the President should remedy the evils now to be complained of, the League would again be as happy to praise as it is now reluctant to blame.

In the meantime, however, we cannot shirk our duty of telling with entire candor the truth about this deplorable business, as we understand it. I frankly confess that on account of my position of antagonism to other policies of the administration, the performance of my part of that duty is an especially unwelcome task to me. I should gladly have left it to some one else, had that been possible. I can now only say that I shall conscientiously follow the rule of strictly impartial judgment as the League has so far always observed it; and if I err at all, it will be in the way of moderation of statement and charitableness of inference.

The most conspicuous and important event of the last year was the President's civil service order of May 29. There can be no doubt, for every observing man has witnessed the symptoms of it, that this order has given an unprecedented impulse of encouragement to the reactionary forces working against civil service reform. The spoils politicians and their following hailed it with a shout of triumph. Many of them expressed the confident hope that now the beginning of the end of civil service reform had come. The general expression of public opinion through the press, even through not a few papers otherwise strongly favorable to the administration, was a decided disapproval of the act.

This order, however, does not stand as an isolated fact. It appears rather as the outgrowth, perhaps as the culmination, of a general tendency that has in an alarming degree manifested itself under the present administra-

tion outside of the classified service as well as within it.

Ever since the introduction of the spoils element in the federal service members of Congress, Senators as well as Representatives, have sought to usurp the constitutional function of the Executive in the making of appointments to office, and this has been one of the principal sources of demoralization in our political life. Every administration, without distinction of party, has yielded more or less to that arrogation of members of Congress, thus fostering the dangerous abuse. But,—and here I am stating only a fact so notorious that nobody will dispute it—never has the President's constitutional power and responsibility in selecting persons for presidential appointments been so systematically surrendered to Senators and Congressional delegations as during the last years ; and never has that surrender so conspicuously served as an official recognition and as a practical support of boss rule in our politics.

As an illustrating instance we may regard the changes that have been made in consular positions. For a long time the commercial community has by all sorts of demonstrations and appeals endeavored to induce the government to take that branch of the service out of politics. The administrations preceding this have been sadly delinquent in satisfying this wise and patriotic demand—a fact which this League from time to time brought to the public notice by unsparing criticism. But a beginning of reform was at least made by the last administration, which might have been developed into something valuable. Not only has this beginning, instead of being so developed, been turned into a burlesque, but there have been, during the last three years, more changes of a political character in the consular service than during any corresponding period in the recent past.

There has always been since the enactment of the civil service law a certain disinclination on the part of some officers to comply with the law and the rules as well as with the executive orders issued under it, and in

some instances distinct violations of the law and the rules, or acts of disobedience to executive orders have gone unpunished. But under former administrations some offenders at least were duly disciplined so as to let public servants know that they could not with the expectation of entire impunity treat the civil service law with contempt. Now page upon page of the reports of the Civil Service Commission has during this administration been filled with recitals of such contempt, some of a most defiant nature, and again and again has this League appealed to the President for the due correction of such lawless conduct, and yet in not a single instance has the offending officer been removed. On the contrary, a great many of such offences committed before the order of May 29th was issued, have been formally condoned by that order.

The platform of the party in power contained the solemn pledge that the civil service law should not only "be thoroughly and honestly enforced" but also "extended wherever practicable." Not a single new branch of the service has by this administration been brought under the merit system. On the contrary, a very large number of clerical appointments were under the war emergency acts made in Washington alone without examination, and in the face of the fact that the Civil Service Commission stood prepared to furnish from its eligible lists of examined candidates all of the extra force that might be needed,

The notorious wastefulness in the taking of the last census and the many imperfections of that work had, confessedly, in a large measure been owing to the organization of the census force on the political spoils plan. The enlightened public opinion of the country was therefore united in demanding that the taking of the census of 1900 should be organized on the basis of the merit system wherever practicable. But there are under the Census Director appointed by this administration, 2,500 clerks to be employed, and they, as well as the rest of the force, are to be appointed on the direct nomination by Congressmen. What kind of

material is furnished by such nominations appears from a recent complaint of the Census Director reported in the press: "They cannot spell and they cannot do ordinary arithmetic. Fifty per cent. fail, and they fail because they cannot divide 100,000 by 4,038; that is they cannot get a correct result." And such men are urged for appointment by political influence. They would never have dared to apply under a competitive system. The pass examinations instituted by the Director will, as they always do, serve, not to secure the selection of the fittest persons, but only to eliminate the most incapable. This is common experience.

It is true, the war emergency appointments, as well as those in the Census Office, were excepted from the operation of the civil service rules by the legislative action of Congress. But it is also true that in neither case the Executive made the slightest attempt, either by official recommendation to Congress or otherwise, to bring about the "extension" of the civil service law over those employments, in accordance with the pledge of the Republican platform. On the contrary, whatever intervention there was by Administration officials, went distinctly in the opposite direction.

It was under such circumstances that the President issued his civil service order of May 29. That order withdrew from the civil service rules thousands of positions—a much larger number than preceding rumors had led us to apprehend. By extending the facilities of arbitrary transfer from lower to higher positions, by making possible, and thus encouraging, party reprisals on a great scale with each change of administration through ex-parte re-examinations of removals for cause without limit of time, by enlarging the power of making temporary employments permanent, and even by materially weakening the President's order of July 27, 1897, concerning removals, which at the time we praised so highly, it has opened new opportunities for circumventing the civil service law. I need not go into detail, for the matter has been well elucidated by the interesting public correspondence between the Secretary of

the Treasury and Mr. McAneny, the Secretary of the League, which took place some time ago, as well as by various special reports submitted at this meeting of the League.

But the significance of the President's order is not determined by the number and individual importance of the places excluded from the competitive system. It consists still more in the circumstance that the solemn pledge of the party in power that "that the civil service law shall be thoroughly and honestly enforced and extended wherever practicable," and the President's own pledge never to take a "backward step upon this question," were distinctly broken. It consists in the fact, that while since the enactment of the civil service law, every President made valuable additions to the area of the merit system, now for the first time, by President McKinley's order of May 29th, the area of the merit system has been substantially curtailed. While the action of every other President was in the forward direction characteristic of an advancing movement, President McKinley's order was the first distinctly backward step indicative of a generally receding tendency.

I am aware the originators and the defenders of the order claim that it not only was not designed to be a backward step, but that it was only better to regulate the reformed service, and to insure the permanency of the progress hitherto made. I shall not question the sincerity of this claim, but only consider its justice and pertinence. To judge correctly the ultimate consequences which such an act will be apt to draw after it, the reasons given for it are of the greatest moment. For if those reasons were held to be good as to the cases now in question, they will also be held to be good in the future as to cases of a similar nature. In this respect nothing could be more instructive than the public defence made of the several provisions of the President's order by the Secretary of the Treasury, who stepped forward as the main champion of the act and may well be regarded as the administration spokesman.

Here is an illustration furnished by him. The Presi-

dent's order takes the "shipping commissioners" from under the competitive rule, and confides their appointment to the so-called discretion of the appointing power. I choose this example for first discussion because the exemption is in this case comparatively unimportant as to the number of positions concerned, and the reason given for it seems especially plausible. That reason, in the language of the administration spokesman, is that the duties of that office are "quasi-judicial in their character, and it is needless to point to the fact that an examination will not point out the presence of the judicial temperament." This has a fair sound. But is it a good reason for excepting positions of that kind from the competitive test? That an examination will not surely "point out the presence of the judicial temperament" may be admitted. But may not an examination demonstrate other capabilities required for the discharge of the duties in question, among them a knowledge of the things with which the judicial temperament will in that office have to deal? The administration spokesman was, perhaps, not aware that in the British India services those who wish to be judges in India and who need at least as much of the judicial temperament as our shipping commissioners, have to go through the examination mill, and that this is considered as one of the peculiar virtues of that system. He may also have forgotten that a shipping commissioner appointed upon competitive examination will, during his term of probation have an opportunity for showing whether he has or has not the necessary judicial temperament, that, if he has not, he may be dropped, and that, as to this matter, the shipping commissioners might, therefore, safely have remained in the classified service.

But let us go further. Since they have been taken out of the classified service for such a reason, who is there to test the "judicial temperament" of the candidates? The Secretary of the Treasury himself cannot do it, being occupied with too many other duties. Has he, then, any experts on "judicial temperament" at his elbow to do it for him? He himself would smile at the

suggestion, for he knows as well as we all do, that as soon as such places are withdrawn from the protection of the merit system, spoils politics reach out for them, and they are, in nine cases of ten, demanded by—and I regret to say, yielded to—such eminent authorities on “judicial temperament” and on other qualifications for official usefulness as Boss Platt in New York, and Boss Quay in Pennsylvania. Nobody, however, believes, I think, that when such potentates make their selections, the “judicial temperament” or other qualifications of the candidates for the *public* service have nearly as much weight with them as a promise of efficient service to the party machine.

I shall not deny that in this way now and then a man may be put in such an office who has a “judicial temperament” as well as other virtues. But considering that he has really been selected for other reasons, this must be considered a happy accident, which surely should not be regarded as justifying the withdrawal of such offices from the merit system. Such a good officer has hardly got warm in his place when a change of administration occurs and another high authority on judicial temperament demands and gets that place for his man, and then, perhaps, a man that is only a good party worker but has no judicial temperament at all. The fact remains that, when persons are put into office for reasons other than their fitness for the duties to be performed, the aggregate result will inevitably be a demoralized, wasteful and inefficient service.

But this is not even the worst aspect of the matter. Here we have one of the cases in which the reasons given for an act are more injurious than the act itself. It may be that the President, exposed to a severe pressure from the spoils hunters in his own party, thought that he could appease their greed by giving them something and that then the pressure would stop. This will turn out to be a miscalculation. The giving of something to the spoils hunters has never satisfied, but always sharpened their appetite. They will be encouraged to demand more when those in power show a yielding disposition, and es-

pecially when reasons are pointed out to them why they may demand more.

Look from this point of view at the example under discussion. I repeat, the exemption of the shipping commissioners is, as to their small number, comparatively unimportant. But when the administration tells us that they had to be exempted because the required judicial temperament cannot be demonstrated by examination, the case becomes one of far reaching consequence. There is a very large number of positions now under the civil service rules, the duties of which are more or less quasi-judicial, such as the examiners in the patent office, and many division chiefs and high grade clerks in various departments who have to prepare the decision of cases. Now if the shipping commissioners must be exempted from the rules because their judicial temperament cannot be demonstrated by examination, although examination may demonstrate other required qualifications, why should not the other places I have named, be exempted for the same reason, thus to be placed within the reach of spoils politics?

But the question is a still larger one. Everybody knows that there is hardly an employment under the government for the perfect discharge of the duties of which this or that quality of character or mental habit is not desirable, that cannot be demonstrated by examination, while other and perhaps more important qualifications can be so demonstrated. Now, what would become of the whole merit system if we were to admit, as the administration virtually does, that because some qualifications cannot be demonstrated, the ascertainment by examination of other requirements must be abandoned, and the disposition of all those places must therefore be yielded to the party magnates as heretofore? The administration will, no doubt sincerely, say that they did not mean it so. But can they deny that by the futile reasons assigned for the exemption from the civil service rules of the places mentioned, they have given the spoils politicians a very strong encouragement to de-

mand the exemption of a great many more—and an argument sure to turn up some day?

Here is another example. In his first defence of the President's order the administration spokesman said, among other things: "The exceptions in the Alaskan service have been made necessary by the great distance from Washington and the time consumed in making certifications and appointments under civil service regulations." Again, the number of government places in Alaska is small, and in that respect the exception is unimportant. But if, as the Administration tells us, "the exemptions in the Alaskan service have been *made necessary* by the great distance from Washington," will not, according to the same authority, the exemption from the civil service rules of the colonial service in the Philippines, if we are to have that, on account of the greater distance be still more "necessary?" Is not this extremely cold comfort to those of our fellow citizens who are in favor of a colonial policy, but who justly believe that such a policy will inevitably result in disaster and disgrace unless carried on under the strictest kind of a civil service system? Has not thus the administration furnished a very specious argument to the politicians who will insist upon making the colonies, if there be such, pastures of spoils politics? And did not the administration do this in the face of the fact that, in spite of much greater distance from the seat of imperial government, England is carrying on in India a most elaborate and exacting civil service system to which that part of the British Empire owes nearly all it has of good government?

Still another example—the deputy internal revenue collectors, of whom there are a good many, and who are officers of great importance, as they have to collect more than half of the national revenue. They were put under the civil service rules by President Cleveland. The spokesman of the present administration has defended their exemption on various grounds—in the first place, because the law vests the appointment of these deputies in the collectors, and they were, therefore,

"according to the highest legal opinion the Treasury Department could get, illegally classified." Let us examine this. Sec. 3148 of the U. S. Revised Statutes provides: "Each collector shall be authorized to appoint by an instrument in writing, under his hand, as many deputies as he may think proper, to be compensated by him for their services; to revoke any such appointment, giving notice thereof as the Commissioner of Internal Revenue shall prescribe; and to require and accept bonds or other securities from such deputies, etc." The question is whether this statute precludes the subjection of the deputy internal revenue collectors to the civil service rules. The administration contends on the authority of "the highest legal opinion the Treasury Department could get," that it does. What was that "highest legal opinion" attainable? I am informed that it was not that of the Supreme Court, nor that of any U. S. Court, nor even that of the Attorney-General, but simply the opinion of Mr. O'Connell, the Solicitor of the Treasury, and that he gave that opinion not even in writing, but orally in an off-hand way. If this information is correct, then the Administration must admit that it is easily satisfied as to the legal merits of a very important matter; for on the other side, declaring that those positions could be legally classified, there stood President Cleveland, who made the order classifying them, and who is far from being considered a mean lawyer, and also Mr. Conrad, a former Solicitor-General of the United States, and Mr. Charles J. Bonaparte, a lawyer of high standing in Maryland, and Mr. Moorfield Storey, a former president of the American Bar Association, whose opinions the Administration might have read in the report of the Civil Service Commission for 1896-7. The Commission itself submitted a strong argument sustaining the legality of the classification.

Now I ask in all candor, what will become of the merit system in the public service if, when a Solicitor of some department says that in his view the classification of a certain numerous force of the service is illegal, that declaration is at once accepted as "the highest legal

opinion the department can get," and the President thereupon actually exempts that branch of the service from the rules?

If we take as valid such reasons for curtailing the classified service, how long shall we be able to resist the spoils-politicians showing us that there are other and far more numerous classes of places, the appointment to which is by statute vested in certain officers, and which, therefore, must be excluded from the merit system? They may even point out to us a statute providing that "each head of a department is authorized to employ in his department such number of clerks of the several classes recognized by law, and such other employees, and at such rates of compensation respectively as may be appropriated for by Congress from year to year," and they may thereupon argue that, the law thus vesting the appointment of clerks and other employees in the heads of departments, no interference by civil service rules with the discretionary power of the heads of departments in making such appointments can be legal. And I should not at all wonder if one or more department solicitors could be found to deliver as their opinion that, although the language of one statute may be a little more elaborate or stronger than that of the other, their legal intent and effect is the same. Such a legal doctrine, applied to all departments, would, of course, sweep away at one swoop the whole merit system, root and branch; and the Secretary of the Treasury, as a friend of civil service reform, would have to find his consolation in thinking that this was "the highest legal opinion the department could get."

As another reason for exempting the deputy internal revenue collectors, the Administration tells us that the Civil Service Commission recommended it. So it did, after having long and strenuously argued that those officers should *not* be exempted. Why did the Commission at last recommend the exemption? It gave its reason in a letter of May 8, 1899, addressed to the President, in these words: "The fact that the Internal Revenue Bureau continued to claim and exercise the right of Col-

lectors to appoint deputies without compliance with the civil service act and rules, notwithstanding the arguments of the Commission to the contrary, was the principal reason for the Commission's recommendation to the President on June 1, 1898, that these positions be included in the list of positions excepted from the requirement of examination "

What a state of things this reveals! Here was the Civil Service Commission faithfully fighting for the enforcement of the law as it stood; on the other side a branch of the government persistently and defiantly violating that law, until the Commission, feeling itself utterly powerless against the government, at last threw up its hands in despair, saying: "Well, rather than have the law openly and continually violated under the eyes of the government, let the law be modified to suit the violators." And then that so-called "recommendation" of the Commission is paraded by the administration as justifying the President's order of May 29!

Consider what a precedent this will be! It teaches the spoilsmen in the public service that they need only find some pretext for rebelling against the civil service law, and that if they carry on that rebellion with sufficient boldness and persistency, they will have good ground for hoping that for the very reason of their bold and persistent lawlessness, the government will complacently revoke the part of the law or of the rules that displeases them. A precedent more demoralizing to the discipline of the service and subversive of the merit system can hardly be imagined.

I am not unmindful of what the administration spokesman has said about the peculiar fiduciary relations existing between the Collectors of Internal Revenue and their deputies, about the responsibility of the Collectors for the acts of their subordinates, about the personal confidence which should prevail between them, and so on. Now, that certain superior officers bear more or less responsibility for the conduct of their subordinates, that there are certain subordinate positions of a more confidential character than others, and that therefore

the superior officers must in such cases have the discretionary power to select their subordinates without being troubled by any civil service rules, is one of the well worn stock arguments of the enemies of civil service reform. There are few positions above the lowest clerkships to which this argument may not be more or less applied, and to which the spoils politicians do not actually apply it.

Against this permit me a recital of personal experience. When, years ago, I became Secretary of the Interior, I thought it best not to take a single person with me into the Department, not even a private and confidential secretary. That private secretary I selected from among the force already in the department. I soon found a man of excellent capacity, entire trustworthiness and good manners, who at the same time had the important advantage of being already acquainted with departmental affairs. So much for that peculiarly "confidential" position. Now, when looking at the papers put before me for my signature—papers of importance which I could not possibly study in detail—I felt myself as to the discharge of very grave responsibilities—much graver than those of an Internal Revenue Collector—to an appalling extent at the mercy of my subordinates. At the same time I was set upon by Senators and Representatives and other political magnates, who urgently asked me to fill existing vacancies, or vacancies to be made by removals, with men whom they recommended to me for appointment. Most of them demanded places for their favorites for reasons which had nothing to do with the public interest. Some told me that in my responsible position I must have subordinates whom I could trust, and they were ready to furnish me just such men. I heard them all and concluded that the public interest would be best served if the vacant places in my department—fiduciary as well as others—were filled on the principles of the merit system, and I attempted the introduction of that system in the department—imperfectly of course, as I had no appropriation for the purpose, and only an im-

provided and constantly changing machinery, depending on clerks whose time was temporarily not fully employed, or who were willing to work after office hours. I carried this on for four years against the bitterest opposition of the patronage mongers high and low, and I learned thus from actual practice on that field of very complicated duties and heavy responsibilities quite thoroughly to appreciate the practical value of the merit system in the conduct of the service, and also the true nature of the difficulties standing in the way of a full development of that system.

Now, when in discussing this matter anybody indulges in solemn hints about mysterious things which the official mind has to deal with, but which the unofficial mind is unable to understand, he cannot make any impression upon me. I am familiar with the augur's wink and with the smiles that follow it. It is equally useless to talk to me about fiduciary or confidential positions which should be filled only at the free discretion of the appointing officer; for I know from abundant experience that in an overwhelming majority of cases free discretion is a myth and that the fiduciary appointments are dictated by political influence; and I know also that in a well-regulated civil service with merit appointment, merit promotion and merit tenure all those so-called extraordinary qualifications for certain positions can easily be secured without exposing any of the places to the chance of becoming the prey of spoils politics.

In fact, after four years' service, I left the Interior Department with the firm conviction that the positions in it, and no doubt in all the other departments, would, taking the general average, be vastly better filled and that the work would be much more efficiently and economically done—in one word, that the public interest would be much better served, if the whole force in and under those departments, without any exception worth mentioning, were subjected to the civil service rules, including even, if that were possible, the commissioners and assistant commissioners of the different

bureaus, and in each department at least one permanent under-Secretary. And the same four years' official experience convinced me that there is only one real difficulty obstructing the full development of the merit system in our public service—and that is the pressure of political influence for patronage, and the lack of resisting power among appointing officers to stand firm against that pressure. Take away that one difficulty, and all your troubles about needed "extraordinary qualifications" that cannot be demonstrated by examination, and about "fiduciary positions," and about distances making the application of the merit system impracticable, and so on, will at once vanish into nothing. And it is the most baneful feature of the President's order of May 29 that it so seriously increases that difficulty by strengthening the belief of the spoils hunters and patronage mongers that neither the pledge of a great party to "enforce the civil service law honestly and thoroughly, and to extend it wherever practicable," nor a President's solemn promise that there shall be "no backward step" will hold out against the pressure of political influence if that pressure be only persevering and defiant.

You must pardon me for once more referring to my personal experience. Having served six years in the United States Senate, where, at the beginning at least—I was soon cured—I thought I had to do some patronage business myself, and where I learned pretty thoroughly how that business is usually done by members of Congress,—and having been four years at the head of a great government department where I learned still more, and having been for seventeen years a more or less active member of an association considering it its especial duty to study the means by which the merit system may be established, perfected, sustained and extended, and also the means by which its enemies seek to demoralize, to cripple, and finally to destroy it, I may, perhaps, without undue assumption pretend to some practical knowledge of the subject. And that knowledge fully warrants me in saying that if I were in a

position of power and desired to undermine the merit system in the public service with a view to its final overthrow, but without proclaiming myself its enemy, the things contained in the President's order of May 29th, together with the reasons given to justify them, would suggest themselves to me as among the most effective shifts to bring about that end.

In saying this I candidly disclaim the intention of insinuating that such was the purpose of the President, or that of his official defender in this case, the Secretary of the Treasury. On the contrary, I honestly believe that they would gladly have carried out the pledge of the Republican platform "honestly and thoroughly to enforce the civil service law and to extend it wherever practicable," could they have done so without encountering the fierce antagonism of the so-called "practical politicians" within their own party. I further believe that in trying to appease that antagonism they would have liked to abstain from anything that might seriously injure the merit system, but that they relied upon subordinates to get up suitable amendments to the civil service rules and were misled by the advice of those subordinates farther than they had originally intended to go; and that finally when the thing was done, and met with very severe criticism, not only on the part of this League but of public sentiment generally, they tried to justify their step, as men who suddenly find themselves in a false position often do, by giving all sorts of reasons for their act—reasons probably also suggested by their ingenious subordinates—which made the effects of their act and their own situation even much worse than they otherwise would have been.

This is my candid belief; and that belief is not in the slightest degree shaken by the statement made by the Secretary of the Treasury in his public defense, that several of the exemptions were never demanded of him by any politicians. No wonder, for the politicians knew where they could put in their work much more effectively below. The real motive power was in any case the greed of politicians for patronage and their pressure

upon the administration. Those who believe this as I do, can render the administration, as well as the cause of reform, no better service than by laying bare the true nature and tendency of what has been done, and by expressing at the same time the hope that after a sober and careful re-examination of the matter the President may see his way clear for retracing his step. After such a re-examination he will hardly fail to recognize the fact that his order of May 29, with the reasons given for it, has been the most hurtful blow civil service reform has ever received since the enactment of the law, as the reception that order has met with from friend and foe must have convinced him that the people generally regard it as such, and that subsequent excuses and explanations have not altered that judgment.

Neither can he close his eyes to the fact that encouraged by the general backsliding tendency under his administration that culminated in the order of May 29th, some of the most conspicuous abuses of the spoils system which under his immediate predecessors had become much restricted, are now developing new vitality. It is too notorious to be denied that persons in the Federal service have become much more forward again in what is called "pernicious partisan activity" than they were for many years. During several administrations, for instance, the business community of New York had been accustomed to see the great Custom House of that port "out of politics," the Collector of Customs devoting himself to his official duties without taking any active part in party movements. But now the Collector is a prominent figure again in party caucuses and other gatherings, and occasionally he finds it even proper to cheer his audiences with exhilarating remarks about the actual or prospective relaxation of the civil service rules by Executive action. Thus the great Custom House of New York is out of politics no longer; and the same may be said of other large or small government establishments.

The contemptuously sportive view of the civil service law which at present is taken here and there has, of

course, been very much encouraged by an opinion delivered by the Comptroller of the Treasury, Mr. R. J. Tracewell, as to whether persons shown to have been appointed in violation of the civil service rules should nevertheless be paid their salaries. The question having been referred to him by the Secretary of the Treasury, Comptroller Tracewell decided that inasmuch as the President has, under the law, made the civil service rules, if not directly then at least by his approval, he could also suspend them or sanction their suspension by his agents or subordinate officers; and that if the rules were thus suspended in individual cases by the appointment of persons in violation of them, the Comptroller has no choice but to accept the certificate of appointment as conclusive and to sanction the payment of the salaries of the persons so appointed. This decision looks like a huge jest at the expense of the civil service law; and we might conclude that it was intended as such when we read the following sentence which forms part of that important document: "If this ruling has a tendency to muddy the stream of civil service reform, which should always flow pure and clean from its fountain throughout its course, I can only answer that it would be as futile for me to attempt with my limited jurisdiction to purify this stream, as it would be to bail the ocean of its waters with a pint cup." Mr. R. J. Tracewell, who owes his appointment as Comptroller not to a civil service examination, but to the so-called free discretion of the President, has, it may be said by the way, furnished by this elegant sneer at civil service reform, in a judicial decision, a fine illustration of that "judicial temperament" which, according to the Secretary of the Treasury, every officer exercising quasi judicial functions must possess, and to secure which civil service examinations must be discarded and the appointing power must be left to make its choice with untrammelled freedom. I have only to add that this decision has been accepted by the administration as final, that the persons appointed in proven violation of the civil service rules are regularly paid their

salaries, that in this respect there is no trouble in the way of further illegal appointments, and that Mr. Tracewell has, after this performance, not been disturbed in his important position of Comptroller, where he continues to enjoy ample opportunity for giving his rare judicial temperament full play.

It is also a matter of notoriety that the levying of assessments upon persons in the Federal service has again assumed very formidable dimensions. This abuse, it is true, has to some extent existed all the while. But this year the public mind was rather seriously startled by the unusually defiant boldness with which the Republican State Committee of Ohio, the President's own state, put the Federal service all over the country under contribution to its party campaign fund, instructing, with rare cynicism, the public servants how the penal clauses of the law against assessments could be circumvented. This truly remarkable proceeding went on without the slightest mark of disapproval on the part of those charged with the execution of the law, until at last the Civil Service Commission remonstrated against it, the immediate result of which remonstrance was, according to the press reports, that the Republican State Committee of Ohio rushed out another call admonishing the Federal officeholders to be quick in paying up. In this way an unusually large amount of money was obtained from the public servants. This is not surprising, for, as everybody acquainted with placeholders knows, the member of the classified service feels himself no longer secure in his tenure if he merely does his duty faithfully and efficiently, but he is troubled again by a sense of danger unless he win the favor of the party potentates by rendering such political service as may be exacted of him. That this danger really exists I will not assert. But the feeling of apprehension, created by the things I have been describing, very extensively does exist, and it cannot fail to produce demoralizing effects most hurtful to the service.

An effort is being made to bring to justice those who have violated the law by the levying of assessments in

the case mentioned as well as in another case, on the ground of an opinion recently rendered by ex-Senator Edmunds, who was the chairman of the Judiciary Committee of the Senate which reported the statute in question; and it is hoped that a salutary example will be made of the guilty persons. This, if successfully carried through, would indeed serve to prevent the repetition of such glaring excesses in the same line. But much more drastic measures on the part of the Administration, if it wishes to demonstrate its earnestness as to the maintenance of the merit system, will be required to cure that deterioration of the atmosphere in the public service which has been brought about by the multiplication of places filled by political influence as well as by the impunity with which in so many conspicuous cases the rules have been circumvented and the spirit of the law has been openly defied—an impunity which but too easily is taken for approval.

In this respect, I must confess, the paragraphs in the President's message referring to the civil service, fail to afford much comfort, for they may be summed up in the one sentence—that everything is now in satisfactory condition. We can only hope that the cheerful optimism betrayed by this utterance will not prevent the President from considering worthy of notice the investigations made by this League and the resulting reports upon the happenings in various branches of the service. Those reports, containing not mere theories or inferences, but facts, may serve to open his eyes to many things of which, it must be assumed, he was not aware or which, at least, he may not have seen in their true character, when he wrote his message, but a thorough appreciation of which may induce him to apply the appropriate remedies and to retrieve the grievous missteps we have now to deplore.

The picture of the retrograde tendencies in the Federal service which my duty to tell the plain truth has compelled me to draw, is relieved by some facts of a more encouraging nature. In the State of New York a distinct advance as to the maintenance as well as the

further extension of the merit system has been achieved, with the valuable aid of Governor Roosevelt, by the enactment of a new civil service law. That law not only sweeps away the contrivances by which the late State administration sought to "take the starch out of civil service," but it places the merit system throughout on the firm basis of well-ordered regulations, securing to it a practicable machinery, and it provides for the extension of its operation over the counties, in which it had formerly not been in force. Even in the city of New York, where the sinister genius of Tammany Hall devotes itself with the accustomed zest and skill to the task of circumventing the civil service law, and where the local Civil Service Reform Association, co-operating with the State authorities, has to fight over every foot of ground, many valuable successes have been scored—at least in crossing iniquitous schemes and in making the ways of the transgressor duly hard. Also on the other side of the continent, in San Francisco, distinct progress has been recorded by the adoption of a city charter providing for the introduction of the merit system in the municipal service.

But the fact in which the friend of civil service reform may find the most cheering assurance of the triumph of his cause in the future, consists in the striking evidences of the growth of that cause in the favor of public opinion. The time is not far behind us when civil service reform was superciliously sniffed at as a whimsical notion of some dreamy theorists not to be taken seriously. Even when after the first attempt at the practical introduction of the merit system in the Federal service President Grant dropped it again in consequence of the refusal of Congress to make any appropriation for its support, the people generally accepted the event with cool indifference. There were indeed expressions of regret, but they came only from a comparatively small number of citizens who had become especially interested in the subject. But when six months ago President McKinley's order curtailing the area of the merit system appeared, the manifestations of popular disapproval were

far more general and earnest than the originators of the measure had expected and than the friends of the merit system had dared to hope. Not even party spirit, usually so potent in such cases, was proof against the popular feeling of disappointment, not a few journals otherwise staunch partisans of the Administration, giving voice to that feeling with remarkable emphasis.

The reason is simple. In President Grant's time civil service reform still appeared in this country as a new and strange scheme, running in the teeth of the political notions and habits of half a century, and clouded over by the uncertainties of a doubtful experiment. Now it is a stranger no longer. The people have made its acquaintance by actual observation. They know that it is not an idle fancy, but an eminently sober and practical conception; that its aim is to remedy real evils and to produce a real good, by delivering our political life of fatally demoralizing influences, and by giving the republic efficient, economical, and honest service. They know that it pursues this aim by methods which every intelligent business man standing at the head of a large establishment and exposed to constant and promiscuous pressure for employment would adopt for himself as eminently business-like. In one word, they know that civil service reform as embodied in the merit system is simply the application to the public service of the plainest principles of common sense and common honesty. Even its enemies are at heart recognizing its virtues.

This has become so widely understood by people of all classes in all parts of the country, that the propagation of correct knowledge of the objects and the means of civil service reform is becoming from day to day an easier task to the advocates of the merit system. Their foremost duty is now to baffle the efforts of the opposing forces, which, seeing the futility of attacking civil service reform on its general merits, strive to cripple or pervert it in the detail of its operation. Those forces consist of the small politicians who covet the offices for their personal advantage, the political leaders who seek to control the offices as party spoil in order to hold together and in-

crease their following, and the unsteady statesmen in power who, while professing, often not without sincerity, to be "also" in favor of civil service reform, have indeed courage enough to assert their professed principles against their party enemies, but not firmness enough to maintain them against their party friends. The combination of these forces is an old one. It is expert in its business, and it will never do to underestimate its strength. How formidable it may become, we have in these days again had occasion for observing.

But, however powerful, it is far from being invincible. We cannot forget that against the same old combination the civil service reform movement has won all its successes, one after another, during periods of time when it was far less intelligently and vigorously supported by the public opinion of the country than it is to-day. While its friends have recently suffered a grievous disappointment, they have no reason for being discouraged. To retrieve the lost ground and to advance their cause further toward the final consummation, they have only to follow their old course with militant courage and constancy; to watch with keen vigilance the happenings in the public concerns; to gauge every measure taken by those in power by the true standard, recognizing gladly every step forward, and permitting nothing to pass that is not genuine; to aid the authorities whenever possible with information and candid counsel; to expose to the public eye the abuses they discover, the correction of which is refused;—in one word, to tell the people the truth without favor and without fear. A resolute and persevering appeal to public opinion, to the good sense and patriotism of such a people as ours, will not be in vain. So good a cause, supported by dauntless devotion, can never fail.

MEETING OF THE LEAGUE.

GERMAN HOUSE, December 14, 1899.

2 P. M.

The President took the chair.

The Secretary made an oral report reviewing certain matters pertaining to the work of his office during the year, and the relations of the League with Congress and Executive officers, in matters concerning the reform of the national civil service.

In the course of this report the Secretary stated that a letter had been addressed to President McKinley under date of March 30, last, adding a final protest against the reduction of the area of the competitive classified service, then proposed, and urging that the civil service law be maintained and extended in its operation—rather than restricted—wherever practicable. On May 29, however, an Executive order had been issued, removing approximately ten thousand offices and positions from the classified service, or from the competitive class within that service, and changing the rules in a manner calculated to increase materially the opportunities for appointments without examination, to positions remaining nominally competitive. This order had been reviewed in a public statement made on behalf of the League by the Executive Committee. The accuracy of certain of the Committee's allegations having been questioned by the Secretary of the Treasury, an open letter had been addressed to that officer by the Secretary, substantiating what had been said, and setting forth some of the effects of the order, and certain of the conditions existing at the time of its promulgation, in greater detail. Further public correspondence had followed, which would be submitted to the League, in full, at this meeting. During the six months since the date of the President's order, investigations had been made on behalf of the League, concerning the practical results of the operation of the altered rules, and concerning appoint-

ments made through methods other than those prescribed by the civil service act, in the war emergency forces of the War and Treasury departments, the Census Bureau, and other branches. The results of these inquiries would be made public in detail by the Special Investigating Committee.

In reply to a letter asking permission for an agent of the League to examine and copy the record of appointments in the Treasury Department under the war emergency acts, the Secretary of the Treasury had declined to permit such examination on the ground that it is the custom of the Department to furnish information concerning such appointments only to Congress or to a co-ordinate Executive Department, although lists of appointments in other branches of the Department had been furnished to the League on previous occasions, with the approval of the Appointment Division. The correspondence on this subject the Secretary read.

On motion the report of the Secretary was received.

Mr. Bonaparte, of Maryland, referring to that portion of the Secretary's report bearing upon the failure of the League to secure access to the record of "emergency" appointments under the war acts, moved the adoption of the following :

The League pronounces the action of the Treasury Department in refusing access to public records relating to matters of public concern, a violation of the undoubted right of citizens in a free country to learn, from official sources, how faithfully the public servants they pay administer the laws. The force of the reason assigned for this refusal is gravely impaired by the fact that similar information had been previously furnished to the League by the Department under the present Secretary of the Treasury. This refusal exposes to reasonable suspicion the good faith of the officials responsible for it, and suggests the existence of abuses which the records withheld from inspection might disclose, and we demand that this unworthy policy of concealment and secrecy be abandoned.

The President announced the business next in order to be the reception of reports from representatives of local Associations.

Reports were then received as follows :

For Connecticut, Gen. William A. Aiken :

"Owing to the absence in Europe of Prof. Henry W. Farnam, President of the New Haven Civil Service Commission, and to the non-reply to my requests for a report of progress from his acting successor, I am

unable to present to the League anything more than impressions, derived from incidental sources of the progress which had been made, since the date of my report at our previous annual meeting, in the administration of the Civil Service Rules under the new charter of the city of New Haven.

"From the sources above referred to I gained the impression that the improvement noted all along the line in Prof. Farnam's letter of last year has continued, to the great betterment of the city administration, and, it is hoped, to the continued satisfaction of the heads of administrative departments.

"I regard the New Haven experiment as having an important bearing upon the smaller cities of the State in their pending and future charter amendments."

For New York State and City, the Secretary :

"We are able, the present year, to report some very satisfactory advances in New York State. At the time the League last met our civil service system was very much disordered. In the State service, applying to the various State departments and institutions, we had the very vicious law framed at the instance of Governor Black, and passed through his influence, which subsequently bore his name. The features of this reactionary piece of legislation have often been described, and I need not refer to them here.

"In the city of New York we had in operation a set of rules framed by the Tammany administration in pursuance of the civil service sections of the Greater New York Charter, which, our Courts had held, superseded the "Black Act" within the consolidated territory. In the smaller cities of the State we had the old system of 1888, revived by an act amending the "Black Act," passed in March of 1898. This situation led to much confusion, and to many contests in the Courts. It was claimed by the Association, in New York City, that the Tammany rules were invalid after March, 1898, not having received the approval of the State Commission as the act of that month required. Just as the Association had won a final victory in the Court of Appeals on this point the Legislature passed a new law in the framing of which the Association had been much concerned, which did away with all the previously existing statutes, setting in their place one comprehensive system of law, with uniform application, and embodying many improvements in detail suggested by the experience of the past decade. For the ultimate success of the movement for the passage of this bill we give full credit to Governor Roosevelt, who recommended legislation of the sort in his first annual message, and who did all in his power to secure its favorable consideration. The new act brings all classes of positions within the classified service, except those of the highest order. It requires competition for all classified places except where experience has shown that competition is not practicable, and for the Labor service it requires a very complete and satisfactory system of registration, the honest upholding of which will leave little or no room for the exercise of political or personal favor. In order to secure uniformity, city boards are required

to submit their rules for approval to the State Commission, and where the Mayor of a city fails to act promptly, the State Board may appoint a Commission to frame proper rules.

"The inhibition upon payments of salary by fiscal officers to persons appointed without compliance with the law is greatly strengthened, and the rights of citizens to go to the Courts for proper enforcement are extended.

"The Municipal Commission in New York City, failing to frame rules that were acceptable to the State authorities, held a conference with the State Board, as the result of which some concessions were made on both sides, and a fairly acceptable set of rules put together. These Mayor Van Wyck in a fit of bad temper, declined to approve. The result was that under the authority given by the act, the State Board framed the rules independently, making them much stronger and better. These rules have been in full force since the 11th of July. The difference in the manner of administering the service is already most manifest. Throughout the State the smaller cities have also accepted many improvements suggested by the State Board, and although there is still some friction in putting the rules in force where previously they had been a dead letter, there is constant advancement.

"A feature of the new act is the extension of the system to the larger counties, and these, it is promised, will be brought in as soon as the State Commission is able to provide the machinery for carrying the rules as so extended into effect.

"We still expect to be obliged to bring occasional suits to secure proper constructions of disputed points. We have been aided by an excellent corps of volunteer lawyers, and so far they have met with the most gratifying degree of success in upholding our contentions."

For Buffalo, Henry A. Richmond:

"Our executive committee has held regular monthly meetings for the last nineteen years. The committee has twenty-one members, all of them enthusiastic workers. During the last year the special interest has been in relation to the White Civil Service Law, which took effect April 19 superseding the so-called 'Black Law.' The Buffalo Commission, of which Mr. D. V. Murphy is chairman, has, I think, the honor of being the first city board in the state to adopt rules in accordance with this law. Our committee did not need to interfere in the framing of these rules, and we are glad to say that they represent what seems to us the best developments in civil service reform. These rules, for the first time, include in the classified service the Chief of Police, the Chief of Departments, and other heads of departments. We could not ask for better or more stringent rules than the Buffalo Commission has prepared; and it is pleasant to relate that public opinion in favor of the civil service law is now so strong in Buffalo that all six of our daily papers approve these rules. The Labor Unions in Buffalo are especially strong in their support of the civil service law, and the President of the State Federation of Labor is a member of our Commission.

"Both the Buffalo Association and the Buffalo Commission have endeavored to expedite the classification of the county officers under the new law. Both have written frequently to the State Board to urge that Civil Service rules be applied as soon as possible to Erie County, and both have offered their services to the State Board in the classification of county offices.

"A valuable piece of work accomplished by our association was an investigation of the Water Department by a sub-committee, of which Mr. A. C. Richardson was chairman. This committee found upwards of thirty employees illegally on the roll, all of whom have since been dismissed. This condition of affairs arose largely from a confusion of legal opinion in regard to the force of the 'Black Law,' which for a time gave rise to many difficulties.

"We think it possible that the use of the voting machine in Buffalo at the last election was due in part to the strong recommendations in favor of a similar voting machine made by our Association three years ago."

For Pennsylvania, R. Francis Wood of Philadelphia :

"I regret to say that I can not offer a very encouraging report from Pennsylvania. In the Federal Service in Philadelphia, the heads of the two chief offices, the Post Office and the Custom House, are active partisans and leaders of opposing factions in the ward in which they both live. Several cases of violation of the law or rules in their respective offices have been brought to the notice of the Association, the most flagrant of which was that of the removal of five employees of the Appraiser's office, on charges which were so frivolous and so unsupported by evidence, that the men were reinstated, only, however, to be afterwards discharged without a hearing, their immediate superior admitting to them that the political pressure for their places was too great for him to resist.

"I submit a letter from the Civil Service Commission, enclosing its correspondence with the Secretary of the Treasury, in which the Commission declares its belief that there had been three distinct violations of the law in these discharges. The Secretary, however, in his letter, refuses to reopen the case.

"I have to report, further, that Philadelphia is also suffering in its Municipal Service, that the new Mayor has made several discharges of excellent officers without good reason, and that appointments have been made that are governed entirely by personal or partisan considerations and that have generally been from exceedingly poor material. The Pennsylvania Association intends to resume actively the distribution of literature, especially among young men, whose participation in its future work is peculiarly desirable."

At the suggestion of a member, the correspondence relative to the alleged violations of the Civil Service Rules in the customs service in Philadelphia, referred to in the report of Mr. Wood, was referred to the Special Investigating Commit-

tee. The order of reports for Associations was then resumed, as follows:

For Cincinnati, Charles B. Wilby:

"Cincinnati has seen recently an illustration of the truth that the spoils system will always react upon its friends. This is an old story, which has been heard again and again, but perhaps the recital here of the Cincinnati version may serve to emphasize the fact that no disease which is the result of poison can be cured until the patient is rid of the poison, and no municipal ailment which is the result of the spoils system, as all are more or less, but generally more, can be cured until that poison is thoroughly eliminated. Four years ago the citizens of Cincinnati broke out in one of those spasms of revolt which occasionally occur in boss ridden communities. There was a fusion between Democrats, Independent Republicans, disappointed office seekers, and all manners of discontent with the 'Boss.' We all helped, civil service reformers and disgruntled ward workers, all fighting together against the common enemy, and the result was that the machine was smashed and every office from the Mayor down, in that and the succeeding election, was turned over to the fusionists. Thereupon, instead of putting into practice their good words against the chief source of bossism, the victors immediately began to divide the spoils in the most approved spoilsman's fashion. With a few exceptions, whom some of the better element were able to save from the headsman, every appointee of the boss was thrown out, thereby depriving our community of the services of many servants whose experience had made them valuable, and whose only fault was that they were the offspring of an illegitimate system of appointment. Their places were forthwith filled with men in the main wholly inexperienced, whose selection was the result of the same methods which the so-called reformers had so vociferously denounced before the election, the only difference being that the power of appointment was now vested in a self constituted oligarchy of fusionists, instead of in its predecessor, the Boss. The natural result was a gradually growing discontent among the people, who began to suffer in some instances from even a poorer public service than the Boss had furnished. The glaring unfitness of certain appointments, and the palpable use of *pull* in securing them, disgusted the good citizen, and gradually he could be heard to say, 'If this is reform I want no more of it. We were better under the old Boss, who, at least, knew his business, etc,' and at the election two years ago the same old Boss and his old guard were successful and recaptured practically all of the offices then to be filled, and the net result of this campaign was that the word 'reform' became a reproach and the Boss regained much of his former power. At the election this year, however, there were complications which prevented his success, and consequently we have what is on the whole an excellent delegation from Hamilton County to the Legislature, which may help us to pass a bill for the reformation of our civil service. We have heretofore introduced two different bills for this purpose, one of which was defeated four years ago, after it had passed the Senate, while

the other was swamped in the storm over the election of United States Senator by the last Legislature, and hence was never voted on. At the last session, however, a commission was provided to revise, amend and modify the municipal laws of the State and, happily, the Governor appointed as members of this commission two learned gentlemen, who are thorough-going and sincere civil service reformers. In the draft charter bill included in their report, which will be presented to the coming session of the Legislature, they have embodied provisions for the establishment of the merit system in our municipalities in a very effective manner, and if these provisions are enacted into law we shall be able to report at the next meeting of the League that Ohio has at last come up out of the darkness and has joined those states which have laid, in the bedrock of the merit system, the only sure foundation for good government."

For Missouri, A. L. Berry, of St. Louis:

"Attached to the platform upon which our Honorable Mayor, as well as a majority of our present city officials, took office, I find these significant lines:

"We further earnestly recommend to our city officials the merit system for all our city employees."

"Somewhere in the progress to the City Hall, this good assurance must have been lost, for shortly after the election of the Mayor I called upon him to enlist his co-operation in having our Charter so amended as to embrace a provision known as the "Merit System Amendment," and I was told not only that he would have nothing to do with such a provision, but that "he would not touch it with a ten foot pole."

"Civil Service rules can be introduced under our city government, and their provisions made mandatory, only through an amendment to our Charter, submitted to the suffrage of the people through the Municipal Assembly, and it may be said, at least, that this issue will probably be the controlling one in our next municipal campaign."

"Our business men, our working classes, our citizens generally, all recognize the necessity and advantages of this reform. No matter how they may differ with reference to other public questions, they admit that they can rally with equal enthusiasm in favor of the "Merit System."

"Any one living near to the twentieth century, appreciates that the atmosphere is crisp with the keen air of rivalry, that every pursuit is geared to its highest point, and that efficiency, to-day, is the only assurance of permanent advantage in any commercial or economic field. Our municipal government cannot be left much longer to the spoilsman and political boss; our people may be depended on to demand that every department and every employee shall meet the test of proper qualification and wear the badge of fitness."

"The Merit System has very clearly caught the minds of our citizens and is recognized as the necessary foundation to any lasting improvement. Our city government is still greatly under the influence of partisan politics, but the constant, persistent, fearless discussion of municipal questions—among which this stands with us first—is having a most healthful effect."

"We may not correct our present evils with one great overthrow, but we are becoming fairly convinced of the hopelessness of any radical improvement under the spoils system, and no change in our Charter looking to the increase of taxation or to the strengthening of our revenues, will be accepted, unless the amendments provide as well for civil service reform; and, once firmly established in the municipal government of St. Louis, the system will, we believe, soon prevail throughout the State.

"I am happy to assure this assemblage, and especially the officers of the National League, that the people of St. Louis, and throughout the State, are loyal to your cause."

Brief reports were also made for Massachusetts, by Richard Henry Dana; for Cambridge, by W. W. Vaughan; for Maryland, by Charles J. Bonaparte, and for Indiana, by Lucius B. Swift.

The Secretary read letters from the Secretary of the Civil Service Reform Association of Denver, and from the President of the Merchants' Association of San Francisco with reference to recent movements in favor of the merit system by charter amendments in their respective cities, resulting, in the latter case, in the establishment of a complete and satisfactory system by popular vote.*

The following papers were then read:

"The Competitive Plan in the Filling of Offices of the Higher Grades." by Silas W. Burt, of New York; †

"Civil Service Reform as a Factor in Municipal Reform," by Clinton Rogers Woodruff, of Philadelphia; read by Mr. R. Francis Wood.

On motion the League then adjourned.

GERMAN HOUSE, December 15, 1899, 10 A. M.

The League reconvened at 10 o'clock.

The business in order being the annual election of officers. The President called Gen. Aiken to the chair.

Mr. Vaughan, of Massachusetts, for the Nominating Committee, reported the nomination of Hon. Carl Schurz as President for the ensuing year, and moved that the Secretary be instructed to cast the vote of the League for the re-election of

* Page 69. † Page 52.

Mr. Schurz. The motion was seconded by various members, and carried unanimously. The Secretary cast the ballot, and Mr. Schurz was declared elected. After a brief address, in which Mr. Schurz expressed the hope that the work of the League will prove as prosperous in the future as it has in the past, he resumed the chair.

On motion of Mr. Vaughan, the Secretary was instructed to cast one ballot for the re-election for one year of the present Vice-Presidents, as follows:

Charles Francis Adams, Boston; Augustus R. Mac-Donough, New York; Rt. Rev. Henry C. Potter, New York; J. Hall Pleasants, Baltimore; Henry Hitchcock, St. Louis; Henry Charles Lea, Philadelphia; Franklin McVeagh, Chicago; Most Rev. P. H. Ryan, Philadelphia; William Potts, New York.

The Secretary cast the ballot, and the gentlemen named were declared elected.

The President announced that Col. J. W. Ela, who had been absent during the order of reports for local associations, at the session of yesterday, would now submit the report for Chicago. Col. Ela reported as follows:

"There are encouraging features in the condition of civil service reform in Chicago this year, although these features relate rather to the recognition of the principle than to its practical operation.

"The Democratic party, which, last fall, lost the county election on a platform which—probably for the first time in the history of the reform—specifically demanded a repeal of the civil service law, was remarkably successful this spring in the city election on a platform which specifically endorsed the civil service law and declared it to be a necessity. This six months' conversion was probably too young to account for the entire increase in the Democratic vote, but many influential citizens, of both parties supported that ticket on account of its new attitude towards the reform, and with the expectation that its success would mean definite, aggressive action against the hungry crowd which hangs on the skirts of every local administration and tempts even the most conscientious official into an "easy" construction of the law.

"This administration has done much towards fulfilling the promise of the platform. The Mayor has surrounded himself with an excellent cabinet—composed of the heads of the principal departments. The Comptroller, Corporation Counsel and Commissioner of Public Works (the latter being the head of the largest and most difficult department) strongly favor the merit system and its effective execution. With such men as these in control of a large part of the city's work there ought to be no question about the faithful execution of this law.

"The Corporation Counsel supported the law and the Civil Service Commission, when he was alderman, and the several opinions relating to the law which have come from that office since his appointment have uniformly sustained it, and given a liberal construction to the sections submitted in time to secure their enforcement. It might seem as if there would be little room for a lawyer's personal prejudice in his consideration of a question of law; but we are having an experience in Chicago of how the opinions of honest lawyers may differ according to the attitude in which they approach the question.

"It is only fair to say, however, that some of the friends of the city administration are not quite satisfied. They complain that there is not that vigorous execution of details which the promise of the platform led them to expect. But the administration is young. There is yet time.

"Complaints have been made to the Chicago Civil Service Reform Association, since the passage of the County Civil Service Act, regarding the execution of that act. The Association appointed a committee to investigate, and it appears from their report that the committee found that the enforcement of this county law, at certain times, has been far from satisfactory.

"This County law covers only a portion of the county service, including, however, the County Hospital. It was passed at the same session of the Legislature at which the city law was passed, and after the passage of the city law, and the provisions of the two laws are practically the same. The reason for not including the entire county service in this county law was, that under the State constitution a special act could be passed covering the institutions under the control of the Cook County Commissioners; whereas in order to cover all the county institutions in that county it would have been necessary to pass a general act, including all the counties in the State, or all of a certain class, or all which should adopt the act; and it was too late in the session to pass such an act, even if it could have been passed at all. As there was a bill pending, and at its second reading, regulating these special Cook county institutions, it was thought best to add the civil service provisions by way of amendment. In this manner an opportunity was furnished to test the application of the merit system to county institutions, with the hope that if successful a bill might be passed later applying it to all counties in the State.

"Cook County includes Chicago and several townships outside the city. The Republicans have had the county government ever since the passage of the civil service acts. The city government has been in the hands of the Democrats for something over two years. I know of no ethical standard by which to balance the blame between two parties, one of which talked loudly—in its platforms and otherwise—of its devotion to a law which—the Committee says—it was slack in enforcing, while the other demanded its repeal and—the first party says—was also slack in its enforcement. At all events there is nothing in such a situation to weaken the faith of the civil service reformers in that essential article of their creed—'Put not your trust in politicians.'"

At the invitation of the President, Mr. Charles B. Fowler,

of Albany, Chief Examiner of the New York State Civil Service Commission, addressed the League with reference to the present methods of conducting examinations in the New York service.

Mr. Welsh, of Philadelphia, for the Special Investigating Committee, read the draft of a proposed report on the condition of the Indian Service under the administration of President McKinley. Mr. Bonaparte moved that the report be accepted and referred back to the Investigating Committee with power to publish with such revision, if any, as they may deem necessary. The motion was carried.

Mr. Foulke, of Indiana, for the Committee on Resolutions, reported the general resolutions on the state of the reform, prepared in accordance with annual custom, for the League's consideration. General Aiken moved that the resolutions as read be considered *seriatim*, and the motion was carried. The resolutions were re-read, and, after slight amendment, adopted unanimously in the following form :

I. The League regards the order issued by the President on the 29th of May last, withdrawing several thousand places from the classified service and relaxing the rules intended to prevent evasions of the law, as the first unmistakable backward step taken by a Federal Administration since the Civil Service Law was passed. The injurious effects of this order have already been seen ; in the demoralization of many parts of the Federal service ; in the encouragement of the enemies of reform in their efforts to cripple the merit system and secure a further relaxation of the rules ; and in widespread distrust of the promises of the President and the party in power to enforce and extend the Civil Service Law.

Specific illustrations of these effects are set forth in the reports of our Special Committees.

II. The League believes that grave injury has also been done to the merit system by the unnecessary exemption of large classes of positions, under the War Emergency Acts, from the requirements of competitive examination.

III. We regret that the pledge of the party in power to extend the Civil Service Law wherever practicable, has not been observed in regard to the Census Bureau, either by the requirements of the law authorizing the census, or by executive action in the choice of a director willing to employ competitive methods in the appointment of his subordinates.

We believe that the retention of patronage in this Bureau will result as in the case of the last census ; in increased wastefulness and inefficiency ; in the demoralization of the force employed : in the diminished

value of the census so taken ; and in the lack of public confidence in its accuracy and impartiality.

IV. We also regret that the President has not yet fulfilled the assurances given by him to a Committee of the League of his intention to include in the classified service a much larger number of places than those withdrawn, but on the contrary has included none whatever. We venture to hope that such extensions may yet be made at no distant day.

V. The inefficiency and the recurrence of scandals in the Indian Service can be removed only by withdrawing the office of Indian Agent from the sphere of Congressional patronage. Although the appointment of such agents is subject to the confirmation by the Senate, the President has full power to devise for his own guidance a suitable system of competitive examinations and promotions for such places. The clerical force of the Indian Service itself would supply many excellent men for the higher post of Indian Agent, and from the ranks of agents the inspectorships might often be filled.

The restoration of all the places in that branch of the service excepted from classification by the recent order is especially necessary to the public interest. It cannot be too often repeated that the spoils system has proved the bane of the Indian service.

VI. Experience has emphasized the necessity for a reform thorough, radical and complete in the Consular Service, and we ask of Congress such appropriate legislation and of the President (until this legislation be obtained) such reasonable rules for his own guidance in appointments as will secure us a service worthy of the country, and able to promote intelligently our vast and varied commercial interests.

VII. It is beyond the province of the League to pass upon the rightfulness or wisdom of territorial extension, but we demand that if any lands be brought under our dominion, public office therein be consistently treated as a trust to be administered for the sole benefit of their inhabitants. To abuse the public service of dependent provinces, in the interest of American parties or politicians, would constitute a crime against civilization and humanity, disgraceful to our Republic. As a safeguard against this shame and calamity, we urge that in the organization of any government, which may be established in such territory, adequate provision be made for a non-partisan service recruited through open competition and assured of promotion through merit and of continued employment during good behavior and efficiency. The President alone, without additional legislation, has the authority to make all reasonable regulations for executive appointments.

VIII. We ask Congress to remove the legislative restriction upon the consolidation of post offices, to the end that the department may apply the merit system to minor offices, wherever practicable, by making them branches of larger offices, and filling them from the clerical force therein. The withdrawal of fourth class postmasterships from patronage would remove one of the most formidable remaining bulwarks of the spoils system.

IX. The League rejoices in the substantial progress made in civil service reform in the State of New York, by the passage of an effective reform law, and heartily commends Governor Roosevelt for his distinguished public service in aiding to restore the merit system which had been seriously impaired by his predecessor. The League expresses its satisfaction at the action of Governor Wolcott, of Massachusetts, in extending the classified service, and in resisting the insidious attempt made to cripple the merit system in that State.

We also rejoice in the renewed evidences of public interest in civil service reform. This interest is as clearly manifested by the general regret and dissatisfaction which has followed the President's order of May 29, as it was shown in the general approval which had greeted his previous order forbidding removals from the classified service except for stated cause.

We confidently rely upon public opinion to effect the ultimate extension of the merit system to all branches of our National, State and Municipal government.

Mr. Wilby, for the Auditing Committee, submitted the following report which, on motion, was received and ordered filed:

TO THE NATIONAL CIVIL SERVICE REFORM LEAGUE:

The undersigned, constituting the Auditing Committee, appointed by the Executive Committee, have examined and compared the accounts and vouchers of the Treasurer* and find them to be correct, and that the balance reported on hand on December 14, 1899, is \$56.17.

Respectfully submitted,

CHAS. B. WILBY,
R. FRANCIS WOOD.

The Secretary, for the Special Committee on the organization of the Census Bureau, reported that copies of the report on the unfortunate results of the taking of the Eleventh Census by a force selected under the patronage system, and setting forth the arguments in favor of the adoption of the competitive merit plan in organizing the present force, had been sent to members of Congress and to the press, and that every effort had been made to secure favorable action in both the Senate and House of Representatives. The Census bill had been passed, however, after a deliberate rejection of the plan proposed, and provision had been made for the appointment of supervisors, statisticians and other clerical employees by the Director, after such examination only as he may prescribe. The President had appointed as Director, Ex-Governor Merriam, of

* Page 50.

Minnesota, a selection understood to have been made for political reasons. Ten thousand applications for clerkships had been received. The Civil Service Commission had offered the services of its Examining Boards for the holding of examinations for these but its offer had not been accepted. On the contrary, under the system adopted only those applicants endorsed by Members of Congress were admitted to examination, and such examinations as were held were of the non-competitive, or "pass" order merely. The Secretary read a letter from the Director of the Census, with reference to this practice, as follows:

CENSUS OFFICE, WASHINGTON, D. C., Oct. 19, 1899.

GEORGE MCANENY, ESQ.,

Secretary National Civil Service Reform League.

MY DEAR SIR:

Please pardon the delay in replying to your esteemed communication of October 7, regarding the question of the selection of a clerical force to carry on the work of this Bureau.

I desire to state that, in accordance with the law, as understood by the writer, I was authorized to prescribe such methods of examination as would result in securing a proper force to perform all the duties connected with the census work. A system of examinations was devised, under the immediate charge of the Assistant Director, and in April regular examinations were commenced in this city, which were practically open to all who applied. It soon became evident, however, that it would be impracticable to make them competitive as it would be impossible to secure in the short time allowed for the selection of this force, a sufficient number of clerks to do the work, owing to the large number who would likely apply for the privilege of examination.*

The law requires that the four general subjects mentioned in the Census Act shall be completed within two (2) years, and it would take nearly all that time to examine all who have applied for positions. The system was, therefore, adopted, of selecting persons for examination from the different states and territories, based on the apportionment plan now in use by the Civil Service Commission. Thus far, nearly two thousand people have been examined: of these about fifty per cent. have been successful in passing the examination. We now have an eligible list of about one thousand clerks. Examinations are being conducted in differ-

* The following is the form of letter addressed to applicants for examination under the plan adopted:

CENSUS OFFICE, Washington, D. C., Aug. 12, 1899.

DEAR SIR:

In accordance with the instructions of the Director of the Census, I return herewith your application for a position in the Census Office.

In selecting the force for this office, the Director has decided to

ent cities in the West and South, with a view to increasing the eligible list to about two thousand clerks.

In this connection, I may add that selection of persons to take the examination are made from the various political parties, namely, Republicans, Democrats and Populists.

The main question, after all, is the selection of a competent clerical force to carry on the prescribed work within the allotted time. Reports have been received from the Chief of Statistics and Division Chiefs that the clerks so far selected have proven to be thoroughly efficient. In view of the fact that the plan as outlined above has proceeded satisfactorily so far, it is not deemed advisable to make any change.

Very respectfully,

W. R. MERRIAM, Director.

In conclusion, the Secretary reported for the Committee that, while it might undertake further correspondence with Director Merriam, it had no definite plan now in view beyond the publication of the facts.

The Secretary submitted copies of two open letters addressed by him to the Secretary of the Treasury in July last, with reference to the review of the President's order of May 29, published by the League, together with a letter of Secretary Gage replying to the first of these, addressed to the League, under date of July 14.

make an allotment to each State and Territory of an equitable proportion of the appointments, and then to make a subdivision among the Congressional Districts; and as the Senators and Representatives of the various States and Districts are more familiar with the qualifications of persons residing therein than the Director of the Census, it has been decided to ask them to furnish the names only of such persons as they desire to be examined for positions in the Census Bureau; who, should they pass successfully and are appointed, are to be accredited to the Senator or Representative so recommending them, and charged to his quota. It is for this reason that I return your application, with the information that it will not be received for filing unless accompanied by the request of a Senator or Representative in accordance with the foregoing statement. After such recommendations are received by this office the persons so recommended will be given a practical examination to determine their fitness for the work.

Examinations will be held in various parts of the country next fall for the purpose above indicated. You will please be kind enough to communicate with the Representative or one of the Senators from your State on the subject of your application.

Respectfully yours,

A. F. CHILDS,

Chief Clerk.

Mr. Bonaparte moved that this correspondence be referred to the Special Investigating Committee and that the Committee be authorized to make such further reply to the Secretary of the Treasury as they may deem necessary. The motion was carried.

Mr. Foulke moved that the League approve and adopt, as its own acts, the letters of the Secretary in the correspondence referred to, and the motion was carried.

On motion the session then adjourned.

GERMAN HOUSE, December 15, 2 P. M.

The League reconvened at two o'clock.

Mr. Bonaparte, of Maryland, read a paper entitled "The Spoils System in the Government of Dependencies."*

The Secretary, for the Special Investigating Committee, read the preliminary draft of a report on the Scope and Effect of the President's order of May 29, as evidenced by the operation of the civil service rules, as altered, since that date. Mr. Bonaparte moved that the report be referred back to the Investigating Committee with authority to publish after such revision as it may deem necessary, and the motion was carried.

Col. Ela called the attention of the League to the fact that the movement for reform in the Consular Service has been given a new impetus through the action of the Cleveland Chamber of Commerce, the National Business League, and other bodies of like character, in proposing legislation for adoption at the present session of Congress. He suggested that a special committee be appointed to represent the League in this matter. After some discussion, Mr. Wood, of Pennsylvania, moved that the President be authorized to appoint a committee, the number of which he shall determine, to take whatever action may be necessary, in co-operation with the business and commercial organizations at present moving for the reform of the Consular Service, and at such times and in such manner as may be desired by them. The motion was carried.

Mr. Dana, of Massachusetts, for the Special Committee on Superannuation in the Civil Service, made an informal report, stating that the Committee is directing its inquiries towards

discovering (1) whether it is not the fact that the evils resulting from superannuation, especially in the case of employees appointed under the civil service rules, have not been greatly exaggerated, and, (2) whether these evils, if they exist, do not belong less to the reformed civil service system than they do to the "spoils system" under which political influence has served to retain those unfit for efficient performance of duty. On motion the report was accepted.

Mr. Welsh, of Pennsylvania, moved that the report of a former committee on the violations of law in appointments and removals in the Philadelphia Post-office under the present administration be included among those published by the Investigating Committee, and the motion was carried.

Mr. Wilby, of Ohio, moved that the thanks of the League be extended to the ladies of the German Club for the generous hospitality extended by them to the members and visiting delegates, and the motion was carried unanimously.

General Aiken, of Connecticut, moved that the thanks of the League be extended also to the Indiana Civil Service Reform Association, the University Club, the German Club and the Trustees of Plymouth Church, for the entertainment and many courtesies received from these bodies, and from their members, during the course of the present meeting, and the motion was carried unanimously.

The League then adjourned.

Attest: GEORGE McANENY,
Secretary.

On the evening of Thursday, the 14th, a reception to the members of the League and visiting delegates was given by the University Club of Indianapolis, the Honorable Benjamin Harrison, President of the club, receiving. On the afternoon of Friday the members were entertained at luncheon at the German House by the ladies of the German Club. On the evening of Friday a banquet was given at the Bates House, by the Civil Service Reform Association of Indiana, at which Lucius B. Swift, of Indianapolis, President of the Association, presided, and addresses were made by Carl Schurz, of New York, Charles J. Bonaparte, of Maryland, Sherman S. Rogers, of Buffalo, W. P. Fishback, of Indiana, and Herbert Welsh, of Pennsylvania.

ANNUAL REPORT OF THE TREASURER.

Balance on hand, Dec. 15, 1898, \$62.57

RECEIPTS :

Subscriptions from New York Association...	\$1,480.00	
" " Philadelphia "	540.00	
" " Massachusetts, Misc.	380.00	
" " Cambridge Association...	200.00	
" " Chicago "	125.00	
" " Cincinnati "	100.00	
" " Washington "	100.00	
" " Baltimore "	75.00	
" " Buffalo "	70.00	
" " Pamphlets sold.....	1.84	3,071.84
		<hr/>
		\$3,134.41

DISBURSEMENTS :

Salary of Secretary.....	\$1,437.50	
Clerk hire.....	699.77	
Rent of office.....	50.00	
Printing.....	556.95	
Postage and stamped envelopes.....	124.75	
Traveling expenses.....	90.15	
Office expenses, miscellaneous.....	89.12	
Washington Agent.....	30.00	3,078.24
		<hr/>

Balance on hand, December 14, 1899..... \$ 56.17

E. & O. E.

(Signed)

A. S. FRISSELL,

Treasurer.

The Competitive Plan in the Filling of Offices of the Higher Grades.

BY SILAS W. BURT.

IT has often been remarked that the question of civil service reform differs in one respect from the other political questions that have engaged the attention of our people—it neither touches closely their business interests, nor appeals to sentiment or passion. Its economical aspects, in the reduced expenses of government, and its moral significance, seem remote to the average citizen, whose practical contact with the civil service may be limited to the letter-carrier. It has, however, the great advantage of simplicity, and when it engages popular attention its reasonableness and conformity with the organic principles of our government invariably persuade and convert. Because it has seemed remote in importance, its growth has been slow, as compared with other policies more sensational or affecting material interests, but unexposed to the tempests of popular passion or selfishness, it has become so well rooted that even the spoilsmen confess, “that it has come to stay.” I do not believe that any question of national policy is to-day so firmly established as this, and though in the violent contention as to other policies the merit system may have its vicissitudes, it cannot be overthrown and on it must finally rest our political administrative fabric, now existing or whenever to be constructed.

There remains one contention of the adherents of the patronage doctrine, shared, too, by some timid friends of the merit system—and that is that selection by open competition is applicable only to the lower grades, and must be a failure when extended to the higher ones. This means that merit and fitness for these superior positions cannot be ascertained by civil service examinations, and consequently must remain the prey of the spoilsmen. We do not believe this, for incontest-

tible reasons, but, were it true, the value of our reform idea and methods would be comparatively inconsiderable. The successful development of the merit system has been an evolutionary process; a constant advance from simple and primitive types to more complex and higher ones—a process that by natural growth is healthy and ensures permanent results.

In the first application of the reform system to the United States service in 1871, the attempt was made to apply forthwith competitive methods to the whole subordinate civil service below the heads of departments and their chiefs of division. This was more than could be accomplished by the inadequate and untrained agencies at hand, and it was also far in advance of any sustaining public sentiment, as was soon revealed by experience, and a retreat from such an untenable position was in progress when the rules were suspended in 1875. Mr. Eaton, who at that time was Chairman of the Commission, fully recognized these restraining conditions, and the law of 1883, in the framing of which he took a leading part, provided that the initiatory application should be limited. The law of New York, enacted three months later, was constructed on the same general lines, but in neither law was there any prohibition of extension to the whole subordinate service, and such extension has been gradually progressive for a decade.

The positions which are here gathered under the general term "superior," differ in their requirements, which in the aggregate may be said to demand every kind of qualification.

These higher positions may be considered under several classes—the first of which comprehends those places found in all departments and offices where several or many persons are employed in identical or cognate and related duties, and which offices are generally organized in separate divisions under chief clerks, not only charged with the discipline of the force under them, but also with the decisions of questions arising in the work of that force, and in some cases with communication with that part of the public directly interested in it. Such positions demand all the qualifications for entrance to the lower grades and a knowledge of the laws, decisions and procedure governing the business, together with a certain executive ability. It is obvious that these positions can be best filled by promotion of those most fit in the lower grades

in the office, and this rule applies to all the ascending positions below the head, in those great departments having a highly organized and complex structure. Often the requisite information and skill can be acquired only in the office itself, but if none of the subordinates have fitted themselves by such acquirement, the position can be filled by an open competition, with confidence that the higher dignity and compensation of the position will attract those capable of soon mastering the specific requirements. Such a necessity would be rare, since the rule of promotion by offering the opportunity for an honorable career to fit and meritorious persons, these would be induced to compete for entrance to the lower positions, and constitute a safe reserve from which to draw. In opening such positions to outside competition, the qualification questioned by cavillers would be that of executive ability, concerning which more will be said later.

The second class comprehends the positions demanding professional, scientific or expert attainments, and these are numerous in the ever increasing functions of government, and cover every branch of human knowledge. In the test of qualifications for these positions, the open competitive examinations have been invariably successful in obtaining eligible lists of qualified persons. The requisite knowledge and ability is so precisely defined, that its absolute and relative possession can be estimated with closer approximation to the truth than in any other class of positions. It has been said that men eminent in their profession or science would not enter a competition, but this has been proven not to be by any means an invariable rule, and furthermore it has been found that these highly qualified persons usually find no attraction in the meagre compensation paid by the government for abilities that command a high price in the business world. There might be cases where some person of recognized rare ability would be willing to serve the government, but not submit to examination—such as a renowned geologist or professor of international law. The New York civil service law provides that in such cases examination may be waived, but such exceptions must be reported to the Legislature at its next session, with reasons therefor. The number of such exceptions in the three years during which this rule has existed have been twelve.

The scope of these professional and expert positions in

the United States service has been broad, and at the risk of being tedious I will mention some for which successful competitive examinations have been held for the New York State service within the last three years.

In the State hospitals, houses of refuge and all other charitable and corrective institutions :

Superintendents.
Physicians of all grades.
Stewards.
Apothecaries.

In the Pathological Institute :

Associates severally in—
Pathology,
Anthropology,
Psychology,
Physiological Chemistry,
Bacteriology,
Biology,
Comparative Neurology.

Assistants to the State Entomologist and the State Paleontologist :

In the Agricultural Departments :

Assistant Commissioner,
Bacteriologists,
Station Editor and Librarian,
Chemists,
Milk, Butter, Cheese and Vinegar Experts,
Inspectors of Veal and of Bees.

Under the Railroad Commission :

Superintendent of Grade Crossings,
Bridge Designer and Inspector,
Electrical Expert.

Department of Public Works :

Inspectors of Boilers, Bridges, Masonry,
and other constructive work.

Every kind of Teachers, Inspectors of Teachers' Institutes and also of compulsory education. Examiners for Teachers' Licenses. Superintendents of Prison Industries, including Cabinet Making, Cloth Making, Knitting, Goodyear shoe-ware and School Furniture. Law Clerks in the various offices, including the important one of Statutory Revision Commissioners. Examiners of State Banks. Architects,

Civil, Electrical and Mechanical Engineers, and Interpreters of the score of European and Asiatic tongues spoken by immigrants into our country.

This by no means exhausts the variety of these high and special positions, but is fairly indicative of their range and character.

It may be noted here that entrance to examinations for all high grade positions is guarded by certain reasonable antecedent conditions; if the position is professional, the applicant must have been especially educated for such profession, and admitted to its practice in accordance with law, and in some cases have been a practitioner for a certain period; if it is a position of scientific requirement much the same evidence must be produced—if it is a position requiring no such educational preparation the applicant must show such business training and experience as would fit him to discharge the duties of the position; in the latter case, however, these qualifications may be relatively estimated in the examination itself, and have due weight in its final results. Through this preliminary wicket only those presumptively fit can enter, with consequent economy in the cost of examination and in disappointment through failure.

We come now to the third class of positions concerning which the opponents of competitive examinations are most insistent as to their impracticability—in fact generally so insistent that they comprehend in it about every position not menial. Of course, I refer to the so-called confidential positions. Those who have had any part in the administration of civil service laws realize that the term “confidential” is the most elastic adjective in the vocabulary, and generally is intended to rival charity in covering a multitude of sins. The number of positions classed as confidential is being almost constantly diminished on the roster of the United States service, and the same may be said of that of New York. There is scarcely a trace of real confidential relations in the public service—it is *public* service in all senses, and only the highest executive officers and the judicial officers have any need of a confidential subordinate. The best test of the sincerity of these professions as to confidential relations is found in the occasional revelations as to the method of selecting those alleged to be charged with them when the positions are exempt from examinations. Not long ago, in a new classification of

the New York City service, the claim was made that the examiners appointed by certain Commissioners rendered services of such a confidential and delicate character that the positions should be exempt, so that they could appoint those personally known to them. Those charged with determining the matter were impressed by the strong, vehement and reiterated assertions made on behalf of the Commissioners. That very day, a suit was decided against these officials for removing subordinates without good cause, and it appeared that the Commissioners, in examination in Court, had testified as to these confidential appointees that they had never known them until sent to them by Mr. Croker or his immediate representative, or by some Tammany district leader. It may be assumed that this is typical of the substantial merits or sincerity about all the asseverations and protestations as to confidential positions.

The qualifications that we are told by the opponents of competition cannot be tested by examination are executive ability, trustworthiness and character; they say such a test is impracticable—a mere fad. I would like to say here a word regarding the reiterated assertions of our opponents that we are theorists, doctrinaires, perfectionists, goody goodies, which and other epithets are intended to be derogatory. Our purposes and methods are in every sense practical—we do not believe they are perfect, since nothing conceived or produced by human agencies reaches that height. Our purpose is to obtain for every place in the administrative public service the best man attainable—we do not deny that in some cases such a result might have been reached by previous methods, but we assert that then the highest fitness and merit were seldom the controlling reasons for selection. Our methods may occasionally fail to get the very best man, but do secure a good one and do exclude unfit men, and working under fixed and intelligible rules give satisfactory and recorded reasons for every selection, and protect the service from the waste and danger of caprice, favoritism and personal and partisan abuse. All this is the very essence of the practical and the practicable.

To return from this digression, executive ability is a prime requirement in the public service, and is a combination of several qualities, some of them doubtless innate, and others acquired. I have known those who deemed the term a synonym for "hustling," and they praised officers for this quality because they had an aptitude for getting rid of business

and business men without much regard to accuracy or justice. But whatever may be the component traits that make up executive ability, they are not exercised in secret, but are demonstrated in the open. They become a part of a man's repute among the men who know him, and they bear substantial and visible fruits. An appointing officer has no exclusive cognizance of such qualities, they are quite as apparent to others whose testimony should weigh as much. The repute and records of men who in public or private affairs have exhibited executive ability can be ascertained quite as well by a civil service commission as by any appointing officer, and if there is any weakness in this dictum it is more than repaired by the almost universal fact that the appointing officer seldom, if ever, appoints—as the mere trustee of patronage he unhesitatingly honors the drafts of the boss or other potentate of the machine, and the executive ability they reward is generally exercised in that misty political domain lying outside the public service.

Trustworthiness is more particularly considered when it touches confidential or fiduciary functions, but in reality is an important quality in all positions from the highest down to the janitor who guards the office door or has charge of it in the intervals of business. Where it is considered in a confidential sense, as has been said before, the positions of that character are so rare as to be insignificant. When the positions are fiduciary, that is when the incumbents are charged with the receipt, disbursement or custody of money or goods, a prudent superior may exact a proper bond, which can be readily obtained from a responsible surety company. This is a precaution adopted now by banks and other private concerns.

Returning to a consideration of trust or confidence in their larger significance, I hold that the great mass of our citizens are trustworthy; that in fact all transactions rest upon mutual trust, whether guaranteed by bonds or not. Concerns, whether vast or small, that employ assistants, have business incidents and methods that if revealed to their competitors or others might cause serious embarrassments and losses, yet how seldom do we hear of violations of trust by the millions of such employees. The American citizen is trustworthy.

The item of personal character includes the quality of integrity just discussed, and also industry, temperament and personal habits. No man is fit for the civil service who is indolent, in-

subordinate, irascible or insolent, or who is uncleanly or a drunkard, or addicted to any phase of gross immorality.

I may appear to have wandered from the exact limits of my subject, but all the qualifications to be secured and the disqualifications to be excluded that have been mentioned apply with larger force to the higher positions. So far as character and habits are concerned, the civil service method of securing what is desired and excluding what is unfit differs in no respect from what obtains in private concerns. It is the ascertainment of a man's reputation and traits as known by those acquainted with him—to use a somewhat perverted term in these days it is his “record” as verified by competent authority. The law of competitive examination is in some fields quite as potent as that of the survival of the fittest. We are all being estimated as to our moral qualities by those we are in contact with, and in the competition our average and relative standing on the eligible list—if one may talk “shop” here—is almost invariably correct.

A perfectly unrestrained appointing officer desirous of getting a fit subordinate would verify, so far as he could, the reputation of the man to be selected, and this is the method of the merit system. One has no more advantage in this than the other, except that a formal certification by citizens, who know that their vouchers will remain permanently on file as a public record, carries an impressive significance of responsibility. In the New York State service, in cases of more than usual importance, these vouchers are supplemented by comprehensive and searching inquiries addressed to all the parties to whom reference has been made in any connection by the applicant.

The supposititious independent official is confined to a narrow range in his selection, and is apt to have a single aspirant in his eye, whose personality is agreeable to him, and whose qualifications he honestly believes are sufficient—in fact he very often builds up the necessary qualifications upon those he believes this aspirant to possess. The merit system opens the place to all citizens having the preliminary qualifications of citizenship, residence, age, etc., and bestows it upon one of these who has demonstrated in the highest degree his merit and fitness.

Now—no matter what may be the requirements of the position—I assert that their possessors can be obtained at

least quite as readily by the latter method as by the former, and with due regard, furthermore, to the civic privileges of every citizen concerned, and if this be correct this assertion has redoubled force as regards the appointment by officials who in fact do not select, and this includes nearly all of them.

This assertion is fully borne out by the experience in New York State, where positions of a high grade, some of them mentioned before, have been filled by open competition, and all of the appointees have not only passed their probationary terms but have rendered such satisfactory service that not one has been dismissed. Among them have been superintendents of great hospitals for the insane, with inmates ranging in number from 500 to 7,000 each, and whose executive functions are of the highest importance and cover a great range of duties; bank examiners, who have the examination of all the assets, accounts, liabilities and records of the State banks, with aggregate liabilities of over \$300,000,000, a function confidential in the very highest sense; stewards of institutions who purchase and dispense supplies of various kinds of millions in value annually; physicians, to whom are committed the decrepit, imbecile and insane wards of the State, inspectors of and teachers in every handicraft, engineers and architects, and scientists. Does not this experience prove that the higher grades of positions in the civil service can be filled successfully by open competition? Furthermore, does it not prove that equal success would attend the application of the same method to all the subordinate service, local, state and national—to the consular service and to such subordinate positions outside the United States as must be filled by its citizens?

I hope you will agree with me in an affirmative answer to these queries. But such a result cannot be attained at once. As heretofore, the development of the merit system must be slow and deliberate so as to make it sure. The varied requirements of the higher positions impose careful ascertainment of the proper prerequisite conditions and of the scope and methods of the competitive tests. Experience shows that a gradual and judicious extension will be sustained by an appreciative public sentiment so that competitive selection may safely occupy the indicated field, and our contention that admission to the subordinate civil service shall be governed by fixed rules, demanding the ascertainment of the highest fitness and merit attainable by tests open to every citizen, will be fully justified.

The Spoils System in the Government of Dependencies.

BY CHARLES J. BONAPARTE.

PRESIDENT KRUGER is accredited with a prophecy that the price paid for his country's subjugation "will make humanity shudder." If he said this he doubtless should have known whereof he spoke, but I am happy to say I think him mistaken: what may be the destined end of the present struggle in South Africa no man may know; if it lead to an extension of British dominion, this will have certainly cost many lives and much blood, but, so far as there is any reason to believe, only the lives of fighting men and only the blood spilt in fair fight. To see soldiers slain by other soldiers in open strife is a grim reminder of this life's realities, but to my mind, no just cause for "shuddering." This war, like every other, will claim its meed of tears and heartaches, will add another to the unnumbered proofs in human experience

"That man was made to mourn,"

but again, like every other, its outcome, whatever this may be, will also prove that he was not made only to mourn or to mourn forever. I am not among those who believe that to kill a man is always the least profitable use to which he can be put; many a life, neither useful nor edifying in itself, has so ended as to leave a well-spring of encouragement to all who would think the better of their kind, a heritage of just pride to all that bear the name of one who, indeed, lived as a fool and a prodigal, but died facing his country's foes.

"Know well, when, in some well fought fight
Stout warriors heed their fate's stern call,
They fall like shooting stars at night
That brighten as they fall."

But I see a grave danger least the Twentieth Century furnish to the World a spectacle whereat, in very truth, "humanity"

may well shudder," the spectacle of the great American republic holding by the sword a vast vassal empire peopled by dumb, helpless millions of the East and placing over them as rulers those among its own citizens who are universally and unhesitatingly deemed and dealt with as the least worthy of respect or confidence in any of the relations of private life, in other words, the creatures of our "Bosses" and the satellites of our "Rings." Soon after the protocol which ended hostilities with Spain had been signed, I expressed to an enterprising representative of the Press who solicited my "views" on things in general and the results of the war in particular, my alarm and disgust at the prospect that poor, half-civilized Malays should be turned over to the tender mercies of such men as the members of our, then recently dethroned, "Ring" in Maryland or the worthies of the "Anti-Civil Service League," which, just at that time, was rather aggressively malodorous. To one of the most prominent newspapers in the country these sentiments seemed to imply a gross injustice to the American people, and I was asked, in substance, to say when we had failed to deal worthily with any burden imposed on us by Providence in the past, and why I entertained such calumnious fears for the future: it may be well for me now to answer these questions.

As a nation we have twice had committed to us duties which bear some measure of analogy to that apparently awaiting us to-day, although in neither case was the inherent difficulty of the task nearly so great. In 1865 we ruled as conquerors a large part of our own land, inhabited partly by white men of the same blood and speech as ourselves, partly by black men from whom we had just stricken the shackles of slavery. We had the strongest motives to wish well to both races, the most evident and cogent reasons, in our own interest no less than in theirs, to provide them, at a period so momentarily critical for both, with the purest, most impartial and most provident government which the wit of man might devise. It were indeed a calumny to question our good will: the torrents of blood poured out on the battlefield in our Civil War were followed by no drop shed on the scaffold; we had fought with our brethren only to compel them to remain our brothers; for a brief season we ruled them by force only that, as soon as might be, they should again bear their share

in ruling us. But, alas! to obtain these ends, we could do, or at least we did, no better than to turn them over to a Congress made up of our professional politicians, that these might turn them over to the carpet-baggers.

From the organization of our Federal Government the several Indian Tribes have been recognized as wards of the Nation: there can be no reasonable doubt that their welfare, civilization and conversion to Christianity have been always, and are now, sincerely and earnestly desired by the immense majority of the American people; and, whilst there has been often room for no little difference of opinion as to the wisdom of our Indian policy, in purpose, this has been consistently just and humane. Yet, with all these good intentions to pave our pathway to the goal, we have had "a Century of Dishonor", a long, dreary record of scandals and broken faith, of chronic injustice, oppression and perfidy in our public officers, of barbarous vengeance again and again wreaked on a devastated frontier, of all the bloodshed, suffering and outrages of periodic savage warfare. Why has all this been? Simply because for a century we entrusted the Western red man, as we entrusted the Southern white man and the Southern black man, when, for a brief season, these also were in our power, to those people who in our country make office hunting a profession, under the name of "politics", and they acted after their kind.

Is it then unreasonable for one who remembers the days of Reconstruction, who knows what manner of men have been chosen for Indian Agents or Inspectors of Agencies as well by a Democratic President in the past as by a Republican President of to-day, when the political patrons of such men, patrons who have risen to prominence and gained power through their unscrupulous service and need this none the less for the future, can reward them with opportunities to fatten leech-like upon hapless folk beyond the seas, is it, I say, unreasonable to fear that we may see again what we have too often seen already? Even if we had no special experience thus to mirror what may lie before us, would not a mere glance at our own *real* rulers, at Tammany and Tammany's pupils and rivals in our cities, at those dirty hands drawing the strings which move official puppets in our National and State governments, would not such a glance reveal to any thoughtful man the shadow of

our impending disgrace and danger ? For, recollect well, the carpet-bagger pro-consul in our future subject provinces will find himself in a veritable land of promise for his ends. Major Chesney, after pointing out that, under the patronage system of appointment practised by the East India Company, an unfit official would occasionally, though rarely, obtain an important administrative or judicial position, says of the results :

"How mischievous might be a man in such a post will be understood when it is considered that a district officer was practically, in many cases, removed from all personal supervision ; that public opinion has no expression in these parts ; and that all that could be known of his proceedings was to be found in his own reports made to official superiors belonging to the same body with himself. In the case of a judge, indeed, the evil was experienced in greatest intensity only by the suitors at his Court ; but it would be difficult to measure the extent of the mischief which might be wrought, by placing an idle or incompetent magistrate in charge of an Indian district with its million or more of people." (Chesney's Indian Polity, page 223.)

This is said of a supposed "English gentleman," of one "in whom," to use the words of the author, "the power of indolence or deficiency of intelligence will be too strong to overcome," but whose integrity is not questioned, of one "idle or incompetent," but never dishonorable or selfseeking, and of one, be it remembered, assured of permanent employment on liberal pay and of a generous retiring pension. Put in the same position a choice specimen of the American blackguard, an outcast from some honorable profession or an adept in some shameful and noxious industry, as destitute of reputation as of conscience, with no certainty of tenure, owing his post to the favor of another of his class of greater influence but no greater worth than himself, expecting and expected to make out of the "pickings" of his office all it can possibly yield him in the very few years to elapse before he must give it up to a successor of the like kind, and suppose this to be, not, as in the India of fifty years ago, a rare and exceptional misfortune, but the normal condition of affairs throughout a wide dominion, possibly an immense empire ; suppose all this, and, with the mind's eye, you will see that your children, possibly yourself, may yet see in fact, you will feel in thought the chill of conscience foreshadowing a shame and iniquity whereof their children may feel the judgment. For, believe me, no community of men has done or can do such wrong to their fellow-

men, to their own better nature, to the Divine Law and the eternal principles of right and justice, with permanent impunity.

"The gathered guilt of elder times
Shall reproduce itself in crimes :
There is a day of vengeance still,
Linger it may. but come it will."

"Well! what are you going to do about it?" I think this is a fair question: I think it demands an answer, and an answer here and now. This is not, indeed, the place, nor is it my intention, to deal with one phase of the problem: I do not ask here if, in very truth, we must drain this chalice of Eastern sovereignty; for my present purposes, I *assume* that we must, or, at least, that we will; and, on this assumption, I avow my belief that, unless we first find and apply a remedy for the loathsome disease of our body politic wherewith we have so long paltered, we shall then drink a deadly poison. But I also believe no search needful to find this remedy: it lies open to our gaze, ready to our hand; have we the common sense and candor to own its need, the civic courage to use it? Therein lies the doubt.

The Century so soon to end has witnessed the profoundly interesting experiment of a vast Oriental empire governed by a free, Christian people of Western Europe, and, for any un-biased mind, the fruit of this experiment must be counted, beyond doubt or cavil, a prodigious advancement for humanity. It may be worth a moment's pause to point out what the British rule in India has meant for all the tribes and races of men inhabiting that land of well-nigh continental bounds.

India is, roughly speaking, about as populous and about one-half as large as all Europe: from this huge territory and its teeming millions (nearly one-sixth of the inhabitants of the Earth) British dominion has banished war and famine, chronic misgovernment and oppression, perpetual, or perpetually recurring, pestilence, cruel and degrading superstitions bred of dense and universal ignorance. The increase in the country's wealth may be fairly called phenomenal: in 1834 the value of its sea borne trade was, in round numbers, seventy millions of dollars, in 1840 one hundred millions, in 1857 two hundred and seventy-five millions, in 1877 five hundred and seventy millions, in 1887 eight hundred and fifteen millions,

in 1897 nine hundred and ninety four millions. Its material progress may be, in some sort, measured by the growth of its railway system, commenced only in 1853, embracing fourteen thousand miles in 1888 and extending to twenty-one thousand miles ten years later; or of its telegraph lines, first constructed in 1850, reaching eighty-two thousand miles in 1886, amounting to one hundred and forty-eight thousand miles in 1897, or by the expenditure of more than one hundred and fifty millions of dollars by the Government alone on productive works of irrigation within the past fifty years. The progress of the people in industry and education, in physical health and well being, in an enlightened morality and in consequent energy and happiness, are less readily shown by statistics, but no less indisputable and gratifying; to show this development in civilization, perhaps as fair and adequate a test as any readily available is the increase in the number of post offices from 753 in 1856 to 27,000 in 1898, and of the parcels carried by post from thirty-eight millions in the former to four hundred and fifty millions in the latter year.

Of this great work of beneficence and regeneration, at once the author and the instrument has been the Indian Civil Service; that body of trained public servants has made British India what it is to-day out of what it was a century since: the extraordinary prosperity of the country has been the legitimate fruit of their exceptional merit. In the words of the author I have already quoted:

"That, on the whole, the members of the civil administration of India, so far as their individual exertions are concerned, have been extraordinarily successful; that they have been distinguished, not only for perfect integrity, but, with rare exceptions, for a high degree of zeal, industry, and public spirit; that a large proportion of them have displayed conspicuous ability; and that many great men have sprung from their ranks—this much, I believe, will be admitted by all who have any practical acquaintance with the matter. The Indian Civil Service is the most able, as it is the most important, official service in the world." (*Indian Polity*, p. 216).

It is well known that in the selection and organization of this service there is to be now found the most thorough and practical application in the World of the principles of Civil Service Reform, but it has been sometimes erroneously asserted that it was at one time recruited and governed substantially on the American "Spoils" System; this was never true.

"The Indian Civil Service took its rise from the establishment of merchants and agents employed in buying or selling the Company's wares. For many years after that occupation had ceased to be more than a subordinate part of the Company's business, they continued to be ranked in the grades, and styled by the titles, of senior and junior merchants, factors and writers. (Indian Polity, pp. 216, 217.)

This "establishment" resembled, in the main, that of a great corporation, say an important railroad company, of to-day. A large measure of personal favoritism undoubtedly entered into the original selection of its members, but fixity of tenure and promotion for merit were its rules from the very beginning. The facts that it was made up of nominees of the East India Directors whilst its official head was, or soon became, a Governor General, appointed by the Crown, exercised an early and profound influence on its character. It is said by Sir John Strachey :

"It was long ago laid down as a maxim, in regard to the employment of European officers in the more important branches of the service, that the first selection of young men shall not be made in India, but shall rest with the authorities in England, while after the first selection, those authorities shall exercise no interference. The distribution of offices, and all questions of appointment and promotion, are left absolutely to the Governments in India; 'it is a historical fact' (I am quoting from an official paper) 'that the observance of this wholesome rule has more than anything else conduced to the purity of Indian patronage, and to its general freedom from party and political bias.'" (Strachey's India, pp. 259, 260.)

In 1806 an important change was made in the method of its selection. A college was established at Haileybury at which candidates selected by the several Directors pursued studies calculated to fit them for the service: from that time until 1853 we may say that the Indian Civil Service was recruited by means of a civilian West Point. There was, however, a weak point in the system, a defect which, on the whole, cannot be charged against West Point. Major Chesney remarks of Haileybury :

"A highly competent staff of professors was appointed in every branch of study necessary for the education of an Indian statesman or administrator. But this advantage was in a measure nullified, by fixing so low a standard for qualification, that study was virtually left optional with the students. The patronage of the first appointments to the Civil Service formed a highly valuable part of a seat in the Direction, affording an excellent provision for a director's family and relatives; and it was by no means in consonance with the views under which that seat was

sought, that this advantage should be nullified by a scholastic test so severe as to exclude the Director's nominees from the service. The result was, that while the Haileybury course offered excellent means of instruction to those who chose to take advantage of it, it had no sufficient effect in eliminating incompetence; and, with very rare exceptions, every young man who obtained a nomination to Haileybury was practically assured of obtaining an appointment to the Civil Service." (Indian Polity, pp. 220, 221.)

The same author adds:

"The defects of the nomination system need hardly be stated. Among every body of men chosen by chance—be the chance one of throwing dice, or of relationship to another set of men themselves in no way specially gifted—there must always be found some, in whom the power of indolence or deficiency of intelligence will be too strong to overcome. Had such men been always retained in subordinate posts, the evil would have been reduced to a minimum; but, although promotion by seniority had long been abandoned, the traditions of the service still required that every man should be raised at least to the charge of a district, and eventually, to a judgeship. . . . If the Court of Directors had provided a sufficient remedy for these two weak points in the system—if they had required that every nominee should reach a reasonable minimum standard of qualification for admission to the service, and that no men should be advanced to posts of responsibility who had subsequently displayed marked incompetence—they might probably have retained the patronage of the service till the date of their extinction as a governing body. But such conditions would have pressed hardly, in some instances on family interests; and when the enquiry of 1853 took place, public opinion pronounced that in these two points they had failed to administer their trust properly, and this valuable patronage was taken away. On the renewal of the Charter in that year, it was provided that appointments to the Civil Service should be thrown open to unrestricted open competition, an arrangement which has been maintained ever since." (Indian Polity, pp. 223, 224.)

By this change Civil Service Reform was finally and fully established in the Indian Service, and be it noted, it is almost precisely from this time, when public patronage was taken away, not, indeed, from politicians, for, in this case, these had never had it, but from private hands and given to the people, that the blessings of British rule upon the people of India began to be so direct, so evident and so overwhelming. Of these blessings one merits a moment's notice ere I close this prolonged trespass on your attention. It is thus described by Sir John Strachey:

"Out of the total number of civil employés in India, 90 per cent. are Natives, but, of course, the greater majority of these are in minor

posts. Excluding the 765 offices held by covenanted officers, there are about 2,600 persons in the superior grades of the executive and judicial branches of service, and very nearly all of these are Natives. Thus, although the higher offices of control are held by Englishmen, the greater part of the actual administration is in Native hands. This is often ignored in discussing the question of the admission of Natives to a larger share of public employment. The organization of our great and highly efficient Native Civil Service is one of the most successful achievements of the British Government in India. Native officers manage most of the business connected with all branches of the revenue, and with the multifarious interests in land. Natives dispose of the greater part of the magisterial work. The duties of the Civil Courts, excepting the Courts of Appeal, are almost entirely entrusted to Native judges. A Native judge sits on the Bench in each of the High Courts. For many years past, Native judges have exercised jurisdiction in all classes of civil cases, over Natives and Europeans alike. I have already stated my belief that, as a rule, their work is quite as good as that of the English judges. Twenty years ago, the Native Civil Service was badly paid, comparatively inefficient, and not always trustworthy. In these respects there has been a great change. Nothing in the recent history of India has been more remarkable than the improvement that has taken place in the standard of morality among the higher classes of Native officials. Much of this has certainly been due to the fact that their positions and salaries are far better than they were, and that temptations to corruption have been removed, but I do not doubt that much has been due to their better education. Another powerful cause has been in silent and constant operation. The Native officials have had before them, through a long course of years, the example of the irreproachable integrity of the Englishmen employed in the higher ranks of the public service. Living in an atmosphere of official uprightness has made native judges and magistrates upright also." (India, pp. 260, 261, 262.)

Have we thus treated the unfortunate people in our midst whom we call by the same name as the natives of Hindostan? Have *our* Indians "had before them through a long course of years the example of the irreproachable integrity of the" Americans employed in the public service? If we send to Manila, whenever civil may be there substituted for military government, such men as we choose to rule over our greatest cities, to speak in the Federal Senate for our greatest States, will, "living in an atmosphere of official uprightness" make Filipino "judges and magistrates upright also?" To deal worthily with this momentous problem, to fulfil truly this portentous duty which awaits our country, these questions must be answered and answered truthfully: we must see, and own that we see, things as they are, without imposture or self-deception; if "it is better to be a patriot than a pessimist," which I have no mind to deny, it is better to be either than a liar.

The Merit System in San Francisco.

A OUTLINE OF ITS ORIGIN AND ADOPTION, SUBMITTED ON BEHALF
OF THE MERCHANTS' ASSOCIATION TO THE NATIONAL CIVIL
SERVICE REFORM LEAGUE.

IN many respects the past history of San Francisco presents a dismal aspect. Its efforts for public improvements have resulted generally in failure. The record of our municipal government heretofore has, in short, been generally marked by extravagance and inefficiency. The streets and sewers of the city have cost, for instance, over \$34,000,000, a charge attributable most clearly to the continuous lack of method and discipline that has characterized our public work.

Various reasons are assigned as the cause of this apparent municipal failure. An impartial investigation will disclose as the primal cause the existence of the political "spoils" system. Aside from the management of the Free Public Library, civil service reform has been unknown in the administration of our city government. Nearly every other department has been made to subserve the purposes of party politics and patronage.

The principle of merit in the public service has been practically eliminated. Partisan politics has been the basis upon which have depended the appointment, promotion and removal of practically all our public officials and employees. Devotion to the city's welfare has rarely been considered in the selection of the servants of the people. Our predicaments, therefore, may truthfully be ascribed to the same general cause that James Bryce has cited as the reason that has made municipal government America's one conspicuous failure.

The Merchants' Association is largely responsible for the origin of the merit system in the future government of San Francisco. One of the first objects of this Association, as stated in its constitution, is "to devise and recommend such

municipal measures as may seem wise and expedient." Pursuant thereto, the Merchants' Association advocated, as the cardinal principles of the new charter, "civil service reform, economical administration and home rule." It is gratifying to report that the charter as adopted by the people of San Francisco is in fact based upon these three fundamental doctrines.

On the first of the new year, the new charter will take effect. Its most significant feature is Article XIII, upon the Civil Service. This principle of the charter may really be considered as a pivot upon which the balance rests. In truth, we feel that the success or failure of the charter as a whole depends upon the faithful execution of its civil service provisions.

In a recent letter, Dr. Albert Shaw has declared to us that "The municipal service system of San Francisco must be regarded henceforth as one of the most advanced adopted anywhere." The civil service sections are clear, concise and simple. The language is plain and liable to no reasonable mis-interpretation. The various principles may be summarized in the declaration that appointment to office should be based upon merit, promotion for efficiency and removal for just cause only. Some other communities have by unfortunate errors discredited the merit system. We believe these mistakes have nearly all been avoided in our charter.

All rules and regulations governing the civil service should be clear and simple, and in this particular we feel that our system is not lacking. Clerks and other employees in the public service are required to pass examinations based upon the requirements of the positions sought. Laborers are selected by priority of registration. If properly fitted, those who first enroll for positions requiring unskilled labor will be the ones to be first selected. Examinations must be conducted in a public and impartial manner. Everything must be open and above board.

San Francisco may justly be congratulated upon having recently selected as Mayor, for the third term, a citizen who is sincerely committed to the principles of the merit system. His devotion to the cause of civil service reform has never been questioned. In accordance with the provisions of the new charter, Mayor Phelan will appoint the first three Civil

Service Commissioners, to hold office for one, two and three years. It is required in terms that they shall be "devoted to the principles of civil service reform." The regular term of the Commissioners will be for three years, one going out of office each year. This will preserve a continuity in the service, and prevent the appointment of an entirely new Commission by any later Mayor. It may truthfully be said that upon the judicious selection of the Civil Service Commissioners will rest the future welfare and prosperity of the government of San Francisco.

Though the achievement of securing and adopting a municipal charter with civil service reform as its first principle is indeed most encouraging, it is, nevertheless, only a step in the right direction. Excellent as are the provisions of our Civil Service Article, they will not execute themselves. Public opinion is an irresistible lever for good or evil municipal government. We shall not forget that our city is remote from the great centers of influence favorable to the merit system. Moreover, our state government is managed and conducted with little regard for civil service reform. California as yet has no state civil service law. The citizens of San Francisco, therefore, owe a solemn duty not only to themselves but to posterity, in taking care that the civil service provisions in the new charter are faithfully executed. The Merchants' Association may certainly be counted upon to put forth its best and strongest efforts to sustain the integrity of the system.

CONSTITUTION
OF THE
National Civil-Service Reform League.

I.

The name of this organization shall be the National Civil-Service Reform League.

II.

The object of the National Civil Service Reform League shall be to promote the purposes and to facilitate the correspondence and the united action of the Civil Service Reform Associations.

III.

The League shall consist of all the Civil Service Reform Associations in the United States which signify their willingness to become members thereof. Any association hereafter expressing such willingness shall become a member of the League upon its being accepted as such by the League or the Executive Committee. Any member of any such association may be present at any meeting of the League and take part in the debates or discussions as the by-laws may provide.

IV.

At any meeting of the League, each association belonging to it shall be entitled to one vote upon every question coming before the League; such vote may be cast by a personal representative designated by each association, or by proxy, as the by-laws may provide. If no such designation be made the delegates from such association present at such meeting, or a majority of them, may cast the vote of such association.

V.

The officers of the League shall be a President, Secretary, Treasurer, and nine Vice-Presidents; and there shall be a General Committee and an Executive Committee. The officers and the committees shall hold office until their successors are appointed or elected.

VI.

The President and Vice-Presidents shall be elected by ballot at the annual meeting of the League.

The Secretary and Treasurer shall be chosen, and may be removed, by the General Committee.

The General Committee shall be chosen annually, and shall consist of one delegate from each association belonging to the League; and one additional delegate for every two hundred members, or major fraction thereof, of such association as certified by its secretary. Each association shall elect its own delegates in such manner as it may determine.

The members of the Executive Committee shall be ex-officio members of the General Committee.

Any member of the General Committee may act by proxy.

The General Committee shall keep a record of its proceedings, and shall make a report to the League at the annual meeting. A vacancy in any office, except that of Vice-President, may be filled by the General Committee for the remainder of the term.

The General Committee may delegate to the Executive Committee any of its powers; provided, however, that it may at any time resume the powers so delegated.

The Executive Committee shall consist of twenty-one members to be elected annually by the General Committee and shall have power to fix its own quorum. And any member of the Executive Committee may act by proxy.

VII.

The General Committee may, subject to these articles, manage the affairs of the League, direct and dispose of the

funds, and may, from time to time, make and modify by-laws for the League and for its own action.

No debt shall be contracted, nor shall any appropriation of money be made, by the League or by the General Committee, beyond the amount in the hands of the Treasurer.

VIII.

There shall be an annual meeting of the League at such time in each year, and at such place as the General Committee may determine, at which officers shall be elected for the ensuing year, and other appropriate business may be transacted.

A meeting of the League may be called at the discretion of the General Committee whenever any association belonging to it notifies the Secretary of the League of its desire to have such a meeting, and the President may at any time call a meeting of the League.

IX.

Any provision of this Constitution may be suspended or amended by a vote of two-thirds of the members present at any meeting of the General Committee, due notice of such proposed suspension or amendment having been given at a previous meeting. Any association belonging to the League may, through its representatives, propose amendments to the Constitution which may be approved under the same conditions.



PROCEEDINGS

AT THE ANNUAL MEETING OF

THE NATIONAL CIVIL-SERVICE REFORM LEAGUE


HELD AT

NEW YORK CITY, DEC. 13 AND 14, 1900.

WITH THE REPORTS AND PAPERS READ,

AND OTHER MATTERS.

NEW YORK :
PUBLISHED FOR THE
NATIONAL CIVIL-SERVICE REFORM LEAGUE.
1900.



PRESS OF GOOD GOVERNMENT.

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ANNUAL MEETING
OF THE
NATIONAL CIVIL SERVICE REFORM LEAGUE.

DECEMBER 13 AND 14, 1900.

PURSUANT to call, duly issued, the twentieth annual meeting of the National Civil Service Reform League was held at New York City, on the 13th and 14th of December, 1900. Among the delegates in attendance during the several sessions were the following:

BALTIMORE: Charles J. Bonaparte, George Frame, F. W. Shults, J. Crawford Lyon, Dr. H. O. Reik, W. Burns Trundle, William T. Brigham, William Keyser, Thomas Howard White, M. B. Billingslea, Phillip H. Tuck, Dr. Thomas Shearer, Theodore Marburg, Hiram Woods, D. C. Woods.

BOSTON: Richard Henry Dana, W. W. Vaughan, William V. Kellen, Charles S. Hamlin, N. E. Chamberlain, George T. Flynn, Grenville H. Norcross, Charles C. Soule.

BUFFALO: Henry A. Richmond, A. C. Richardson, Frederick Almy, Walter J. Shepard, Edward Hale Jennings.

CAMBRIDGE: Morrill Wyman, Jr., James G. Thorp, George F. Arnold, Archibald M. Howe, Arthur H. Brooks, Hugo R. Meyer, William H. Emerson.

CLEVELAND: Harry A. Garfield, William E. Cushing.

CONNECTICUT: W. A. Aiken, Adam Reid, J. Miller Wilson.

DENVER: Charles MacDowell, Irving Hale.

INDIANA: William Dudley Foulke, Henry J. Milligan.

NEW YORK: Carl Schurz, Jacob F. Miller, William G. Low, Everett P. Wheeler, Rt. Rev. Henry C. Potter, Charles Collins, Edward Cary, Horace White, Anson Phelps Stokes, Charles A. Schieren, Edward M. Shepard, Richard Watson

Gilder, George McAneny, Robert Shaw Minturn, Charles W. Watson, A. S. Frissell, Samuel H. Ordway, Seth Sprague Terry, Homer Folks, Charles C. Burlingham, George Haven Putnam, Elliot H. Goodwin, Samuel P. Avery, Jacob W. Mack, Robert Underwood Johnson, R. Fulton Cutting, R. R. Bowker, William J. Schieffelin, Rev. Dr. C. B. Smith, Truman J. Backus, William Potts, Nelson S. Spencer, Henry De Forest Baldwin, F. G. Ireland, Rev. Thomas R. Slicer, Oscar S. Straus, George R. Bishop, Henry Winthrop Haddon, L. T. Chamberlain, George F. Carter, Silas W. Burt, Alford W. Cooley, S. William Briscoe, Roscoe C. E. Browne, James B. Ludlow, Horace E. Deming, Joseph K. Murray, Adolphe Openhym, Henry Loomis Nelson, Arthur C. Train, Edward Uhl, Charles H. Strong, Samuel Thorne, Jr., William Miller Collier, J. Warren Greene, Thomas A. Fulton, Frank J. Goodnow, John Brooks Leavitt, E. R. L. Gould, Charles MacVeagh, William A. Perrine, Rev. Dr. W. S. Rainsford, John A. O'Connor, Henry Sanger Snow.

PHILADELPHIA: Herbert Welsh, Wayne MacVeagh, Stuart Wood, George Burnham, Jr., R. Francis Wood, Charles Richardson, C. R. Woodruff, Dr. Charles Cadwalader, John D. Avil, Walter Horstmann, H. M. Dyckman, James Macallister, Rev. L. Bradley, Rev. A. L. Elwyn, Edwin S. Sayres, Walter Wood, W. H. Pfahler, Albert W. Kelsey, Louis J. Lautenbach, Elliot Fields, John C. Donovan, Porter F. Cope, John J. Pinkerton, Edward Cole.

WASHINGTON: Frederick L. Siddons, George A. Warren.

ST. LOUIS: Francis R. Blair, John F. Lee.

In response to invitations issued by the League to Municipal Reform Associations and other bodies having the reform of the Civil Service among their objects, delegates were present from a number of such organizations, as follows:

MUNICIPAL LEAGUE OF PHILADELPHIA.—George Burnham, Jr., Robert C. Deardon, John Stokes Adams, William Kirkbridge, Hector MacIntosh, Houston Dunn, Samuel S. Fels, Charles Richardson, and Clinton Rogers Woodruff.

CITY CLUB OF NEW YORK:—J. Noble Hayes, James R. Burnet, C. C. Nadal, James W. Pryor, and Charles H. Strong.

REFORM CLUB OF NEW YORK:—Everett P. Wheeler, John G. Agar, Seth Sprague Terry.

MASSACHUSETTS REFORM CLUB:—William Cushing Waite, and Samuel Y. Nash.

CLEVELAND CHAMBER OF COMMERCE:—Harry A. Garfield, and William E. Cushing.

LAW AND ORDER LEAGUE OF CONNECTICUT:—Walter F. Prince, of New Haven.

LAW ENFORCEMENT SOCIETY, BROOKLYN:—T. DeQuincy Tully.

CITIZEN'S LEAGUE OF HUNTINGTON, L. I.:—E. D. Davidson, James M. Brush, Rev. J. C. York, William S. Funnell, William E. Jones.

THE CIVICS CLUB OF ORANGE, N. J.:—Winthrop Waite, Adolph Roeder, Nathan C. MacCrea, Richard K. Musley.

THE WOMEN'S AUXILIARY OF THE N. Y. CIVIL SERVICE REFORM ASSOCIATION:—Mrs. W. H. Schieffelin, Mrs. George William Curtis, Mrs. Charles Russell Lowell, Miss Lowell, Miss A. J. G. Perkins, Mrs. Henry N. Sanders, Mrs. Francis C. Barlow, Mrs. J. Kennedy Tod, Mrs. C. W. Watson, Miss Elisabeth Luther Cary, Mrs. S. B. Brownell, Miss Brownell, Miss Elizabeth M. Sharpe, Miss Helen C. Butler, Mrs. Charles A. Spofford, Miss Louise Lee Schuyler, Miss A. E. H. Meyer, and Mrs. Everett P. Wheeler.

THE CIVIC CLUB OF PHILADELPHIA:—Mrs. I. B. Oakley, Mrs. Charles Richardson, Miss Hallowell, Mrs. Frederic Merwin Ives, Mrs. George Burnham, and Mrs. Clinton Rogers Woodruff.

THE ARUNDEL GOOD GOVERNMENT CLUB, OF BALTIMORE.—Mrs. Charles J. Bonaparte, Miss Sarah G. Haydock, Mrs. George Huntington Williams.

MASSACHUSETTS WOMEN'S CLUBS:—Mrs. Robert M. Morse, and Miss Elizabeth Foster, of Boston.

CONNECTICUT FEDERATION OF WOMEN'S CLUBS:—Miss Mary M. Abbot, of Watertown.

MEETINGS OF THE LEAGUE.

THE morning session of the 13th, commencing at 9.30 o'clock, was occupied by a joint meeting of the General and Executive Committees, held at the City Club. At this, a revised Constitution was adopted, changing in various respects the form of organization of the League.* The proceedings at the several sessions of the League, the first of which was held on the afternoon of the 13th, were as follows:

FIRST SESSION.

THE CITY CLUB,
THURSDAY AFTERNOON, DECEMBER 13.

The League convened at 3 o'clock P. M., the President, Hon. Carl Schurz, in the Chair.

The minutes of the last preceding annual meeting having been printed and distributed, the reading of the same was, on motion, omitted.

The submission of the Report of the Nominating Committee, at the request of its Chairman, was deferred until a later session.

The Report of the Special Committee on the Civil Service in Dependencies was presented and read by the Chairman of the Committee, Mr. Bonaparte, of Maryland. On motion it was received and ordered to be filed and properly published.†

The Report of the Special Committee on Superannuation in the Civil Service was presented and read by the Chairman of that Committee, Mr. Dana, of Boston.‡ Mr. Bonaparte moved that this report be referred to the Council for such action as may hereafter be deemed necessary. Mr. Foulke,

* Printed in full at Page 49.

† Printed in full at Page 37.

‡ Printed in full at Page 41.

of Indiana, stated the substance of an interview he had had with Representative Gillett, Chairman of the House Committee on Reform in the Civil Service, with reference to the matters covered by the Committee's Report, in which Mr. Gillett had stated his desire to introduce a bill for the retirement of superannuated employees founded on the system of Victoria, as a substitute for certain pending measures. After some further discussion, during the course of which it was suggested that Mr. Gillett's proposition should also be considered by the Council, Mr. Bonaparte's motion was carried.

The Report of the Special Committee appointed to consider the action of a majority of the United States Civil Service Commission in revoking orders under which the League had previously had access to such of the records and files of the Commission as are not properly confidential was read by its chairman, Mr. Bonaparte, and referred, on motion, to the Council.*

Mr. Schurz at this point withdrew, and Mr. Bonaparte took the chair.

The Secretary, for the Committee on Congressional action, made a verbal report with reference to three bills of importance, now pending in Congress, the course of which the Committee had followed: (1) The bill providing for the reorganization of the Weather Bureau, and for the filling of positions in that branch of the service through appointments made by members of Congress, after non-competitive examination; (2) that extending the preference now given to disabled veterans over civilians in all competitive appointments to all persons who have served either in the Civil War, or in the Spanish-American War, or in the present war in the Philippines, and providing also that such persons when appointed shall be preferred for promotions, and for retention in the service; and (3) that providing for the reorganization of the Consular Service.

The first of these measures, he stated, had been thoroughly discussed during the last session, and opposed by a previous Committee representing the League. Although favorably reported in the House, and within reach for final consideration

* Printed in full at Page 58.

PRESS OF GOOD GOVERNMENT

in the Senate is objectionable to the commercial organizations, also, and that the question as to the expediency of supporting it has arisen among them, as well. It was intended, however, that the movement for this reform should be carried on aggressively, until a satisfactory bill had been secured as a basis for legislation, and the continued co-operation of the League, he added, would be welcomed.

The Chairman announced the final order of the session to be the reception of reports from representatives of local Associations. Reports were made by Messrs. Clinton Rogers Woodruff, for Pennsylvania; W. B. Trundle, for Maryland; A. C. Richardson, for Buffalo; H. J. Milligan, for Indiana; and Col. J. W. Ela, through the Secretary, for Chicago. The session then adjourned.

SECOND SESSION.

THE CARNEGIE LYCEUM

THURSDAY EVENING, DECEMBER 13.

The evening meeting convened at half-past eight o'clock, when addresses were made on the general subject of Civil Service Reform by Charles J. Bonaparte of Maryland, William Dudley Foulke of Indiana, and Rev. William S. Rainsford, D. D., of New York. Hon. Carl Schurz presided and made the following introductory remarks:

"As the president of the Civil Service Reform Association of New York, I bid you, the members of the National League and the friends of our cause here assembled, a most hearty welcome and thank you for the favor of your presence.

"For various reasons the old custom of presenting in a president's address at the annual meeting of the League a comprehensive review of the actual status of the civil service reform cause, has been abandoned—at least for this occasion—and a public meeting has been substituted to be addressed by several eminent advocates of the reform, while the critical review will appear in the shape of reports of Committees.

"As the ex-officio chairman of this meeting I conceive it to be my first duty—a duty prescribed by a primary rule of courtesy—not to anticipate by an elaborate speech on my part what the orators of the evening, to whom your attention

funds, and may, from time to time, make and modify by-laws for the League and for its own action.

No debt shall be contracted, nor shall any appropriation of money be made, by the League or by the General Committee, beyond the amount in the hands of the Treasurer.

VIII.

There shall be an annual meeting of the League at such time in each year, and at such place as the General Committee may determine, at which officers shall be elected for the ensuing year, and other appropriate business may be transacted.

A meeting of the League may be called at the discretion of the General Committee whenever any association belonging to it notifies the Secretary of the League of its desire to have such a meeting, and the President may at any time call a meeting of the League.

IX.

Any provision of this Constitution may be suspended or amended by a vote of two-thirds of the members present at any meeting of the General Committee, due notice of such proposed suspension or amendment having been given at a previous meeting. Any association belonging to the League may, through its representatives, propose amendments to the Constitution which may be approved under the same conditions.



PROCEEDINGS

AT THE ANNUAL MEETING OF

THE NATIONAL CIVIL-SERVICE REFORM LEAGUE

HELD AT

NEW YORK CITY, DEC. 13 AND 14, 1900.

WITH THE REPORTS AND PAPERS READ,

AND OTHER MATTERS.

NEW YORK :
PUBLISHED FOR THE
NATIONAL CIVIL-SERVICE REFORM LEAGUE.
1900.

it ever so short. But as to being satisfied—it has no right to be, or to confess itself satisfied, until the reform is, in design, and execution, complete and perfect.

“It must never permit any one entrusted with power to think that a faithful observance of correct principle in one case can serve as an excuse for a violation of it in another. It must never tolerate tricks of spoils politics under the guise of the forms of the merit system to be passed off as the genuine article. For it must never forget that more harm is done to the cause of civil service reform by false pretences of it, by the use of its name to cover up vicious dealings, than by open attack on it under the undisguised spoils flag.

“In one word, it must incessantly preach its principles, diligently study and strive to perfect laws, and rules, and methods, vigilantly watch their enforcement, stoutly defend what is honest and right, boldly and belligerently denounce what is wrong or false, with fearless justice tell the truth and spare not, no matter whom it may please or displease, and thus with inflexible firmness uphold the true standard.

“The League cannot overestimate its duty and responsibility in this respect. For, I ask you, if an organization founded for that very object, and composed of men unselfishly devoted to the cause, and as such entitled to the public confidence, did not bear up that true standard, full high, who would? To whom could the public look for safe counsel and guidance in a work of such vital interest to the republic? Fortunately, there is no reason for doubting that this League will always fully recognize its duty and courageously do it.”

THIRD SESSION.

THE CITY CLUB,

FRIDAY MORNING, DECEMBER 14.

The League convened at 10.30 A. M., the President in the chair.

Mr. Bonaparte, as Chairman, read the report of the Executive Committee. Mr. Wheeler, of New York, moved that the report be accepted, and that it be printed with the Proceedings of the meeting, and the motion was carried.*

* Printed in full at Page 25.

Mr. Wood, for the Auditing Committee, submitted the following report, which, on motion was received and ordered filed:

NEW YORK, December 14, 1900.

TO THE NATIONAL CIVIL SERVICE REFORM LEAGUE:

The undersigned, constituting the Auditing Committee appointed at the joint session of the General and Executive Committees, respectfully report that they have examined the accounts and vouchers of the Treasurer, and find them correct; that the balance on hand December 14, 1899, was \$56.17; the receipts from all sources during the year \$4,841.87; the disbursements for all purposes \$4,852.49; and that the balance on hand at the end of the fiscal year on November 30, 1900, was \$45.55.

Very respectfully,

R. FRANCIS WOOD,
W. W. VAUGHAN,
Committee.

The Secretary presented and read the Report of the Investigating Committee, on the general state of the federal civil service and the operation of the reform law under the present Administration.*

Mr. Richmond, of Buffalo, referring to the passage in the report regarding the refusal of the Comptroller of the Treasury to withhold payments of salary from persons appointed to positions in violation of the Civil Service law, moved that the question of testing the validity of this action in the Courts, or of taking such other steps as may be practicable to secure its reversal, be referred to a Special Committee to consist of five lawyers, who are members of the League, and the motion was carried.

Mr. Bonaparte moved that the report of the Investigating Committee be immediately published, with such verbal changes as the Secretary may deem necessary and as he may be able to make.

Mr. Foulke moved, as an amendment, that before publication the report be submitted to the President of the United States for his consideration.

Mr. Dana moved as a substitute for the amendment, (1) That a copy of the report be sent to the President by the Secretary of this League at the time of its publication; and

* Abstract printed on page 28.

(2) that the Investigating Committee be instructed to prepare an abstract of the full report to be furnished in advance to the press for publication on a date not later than Wednesday next, the 19th inst. With the consent of the mover these propositions were considered separately. On the first there were 20 ayes and 36 noes, so that that part of the motion was lost. The second was accepted as a substitute by both Mr. Bonaparte and Mr. Foulke, and was carried.

The Secretary than read the preliminary draft of a second report of the Investigating Committee, treating in detail the scope and effect of the President's order of May 29, 1899, changing the federal civil service rules. On motion this report was referred back to the Committee with power to publish later, in their discretion.

The session then adjourned.

FOURTH SESSION.

THE CARNEGIE LYCEUM.

FRIDAY AFTERNOON, DECEMBER 14.

The League convened at three o'clock, P. M., Mr. Schurz in the chair.

Mr. Dana, of Boston, presented and read the following report of the Committee on Nominations:

To the National Civil Service Reform League:

At the joint meeting of the General and Executive Committees of the National Civil Service Reform League, held October 20, 1900, it was

"Resolved, that in the judgment of the General and Executive Committees, and in accordance with the uniform practice of the League, the independent political action of any member of a Civil Service Reform Association should not affect his standing as an officer of the League, composed as it is of citizens of the most diverse opinions on public questions not connected with civil service reform; and that, therefore, the reasons given by the President of the League, in his letter of September 22, last, for the tender of his resignation, are, in the judgment of these Committees, insufficient to justify its acceptance.

"Resolved, therefore, that the President is very respectfully requested to withdraw his said resignation."

On December 1, the Hon. Carl Schurz wrote the following letter to the Secretary :

GEORGE MCANENY, ESQ.,

SECRETARY, NATIONAL CIVIL SERVICE REFORM LEAGUE.

DEAR SIR :

The resolutions passed by the Executive Committee of the National Civil Service Reform League, by which they have done me the honor of requesting me to withdraw my resignation as their president, have had my most careful and deferential consideration. I admit that the principle upon which the two Committees have based their action, is essentially correct. But at the same time I continue to believe that the position I have taken with regard to other policies of the national administration might create practical inconveniences to the League, if I remained its president ; and to such inconveniences I should be loth to expose an organization the aims of which I have so much at heart. . . . As the officers of the National League are to be newly elected at the coming annual meeting, you will oblige me by asking, in my name, the Committee on Nominations of that body to select some other member for the position hitherto held by me, Very truly yours,

C. SCHURZ.

The Committee therefore, understanding that Mr. Schurz is firm in his opinion, have suggested the name of Mr. Daniel C. Gilman, President of the Johns-Hopkins University, who is about to retire from that position, as President of this League. In his letter, allowing his name to be used, Mr. Gilman says :

" It is a pity that Mr. Schurz cannot be persuaded to serve us in the future as he has in the past."

The Committee in view of the change in the Constitution, has proposed only the name of the President, and the following lists of Vice-Presidents. Their action on these names are unanimous.

Charles Francis Adams,	Boston.
Joseph H. Choate,	New York.
Grover Cleveland,	Princeton.
Henry W. Farnam,	New Haven.
Henry Hitchcock,	St. Louis.
Henry Charles Lea,	Philadelphia.
Seth Low,	New York.
Franklin MacVeagh,	Chicago.
Henry C. Potter, D.D.,	New York.
P. J. Ryan, D.D.,	Philadelphia.

All of which the Committee herewith respectfully submits,

RICHARD HENRY DANA,

Chairman.

On Mr. Dana's motion the gentlemen named for President and Vice-Presidents respectively, were unanimously elected.

Mr. Foulke, of Indiana, for the Committee on Nominations, presented and read the following resolution relative to the retirement of Mr. Schurz from the office of President:

The National Civil Service Reform League deeply regrets the determination of the Honorable Carl Schurz to retire from its presidency. Nearly eight years ago he assumed the office, after the death of the first president of the League, George William Curtis. Mr. Schurz, his successor, has served the League and its cause with the same noble and practical wisdom which belonged to that great American, now held in precious and abiding memory by those who believe that the American democracy should administer its government in honor and with equal privileges to its citizens. The progress of the merit system has, no doubt, often seemed precarious and disappointing; but in the retrospect of eighteen years since the passage of the first directly effective legislation in our country against the spoils system, it is clear beyond any doubt that the progress,—in spite of enormous difficulties in the way,—has been great,—very great,—and that the reform has secured a deep hold upon the intelligence and conscience of the people, and has effected a practical and lasting change in public administration. This beneficent change,—already one of the large achievements of our generation, has been due to no influence more than to the zeal, persistence, courage, eloquence, statesmanlike skill and wide influence of Carl Schurz. To all these qualities were added his practical knowledge gained during his long and distinguished service in official and political life. He has truly and precisely appreciated the relation of the spoils system to administrative procedure and detail no less than its more corrupting effect upon political morality throughout the Nation. The substitution in its place of the merit system has been a cause lacking the obvious and personal interest which sustains many public causes and that brings the exhilaration of immediate honor to those who promote them. With other really abiding benefactions to humanity this cause has required the faculty of patient self-sacrifice. And this, Carl Schurz has given in an unstinted measure. The fruits of his work will surely be gathered more and more. They will bring to him more and more the gratitude and homage of his countrymen at large as they now do of this League and of all in sympathy with the reform for which it stands. The League gives him its best greeting, and ventures to hope that, although he will not be its president, he will nevertheless give it his powerful and faithful aid.

On motion of Mr. McAneny, seconded by a number of members, the resolution was adopted unanimously. Mr. Schurz, in a brief response, expressed his appreciation of the action taken by the League, and called Mr. Miller of New York to the Chair.

Mr. Woodruff, of Pennsylvania, for the Committee appointed to report nominations for members of the Council, presented the names of the following :

Moorfield Storey, . . .	Boston.
W. W. Vaughan, . . .	"
Richard Henry Dana, . . .	Cambridge.
Morrill Wyman, Jr., . . .	"
William A. Aiken, . . .	Norwich, Ct.
Silas W. Burt, . . .	New York City.
Charles Collins, . . .	" " "
Richard Watson Gilder, . . .	" " "
Samuel H. Ordway, . . .	" " "
William Potts, . . .	" " "
Carl Schurz, . . .	" " "
Everett P. Wheeler, . . .	" " "
Edward Cary, . . .	Brooklyn.
William G. Low, . . .	"
Edward M. Shepard, . . .	"
Henry A. Richmond, . . .	Buffalo.
Charles Richardson, . . .	Philadelphia.
Herbert Welsh, . . .	"
B. Francis Wood, . . .	"
Clinton Rogers Woodruff, . . .	"
Charles J. Bonaparte, . . .	Baltimore.
George A. Pope, . . .	"
Dr. H. O. Reik, . . .	"
John Joy Edson, . . .	Washington.
F. L. Siddons, . . .	"
Charles B. Wilby, . . .	Cincinnati.
Lucius B. Swift, . . .	Indianapolis.
William Dudley Foulke, . . .	Richmond, Ind.
John W. Ela, . . .	Chicago.
Henry Hitchcock, . . .	St. Louis.
Henry Van Kleeck, . . .	Denver.

On motion, the gentlemen nominated were elected unanimously as members of the Council for the ensuing year.

The following papers were then read :

The Purpose of Civil Service Reformers—By Henry Loomis Nelson, of New Rochelle : *

* Published in the Forum, for January, 1901.

The Results of Civil Service Reform in Australia—By Hugo R. Meyer, of Harvard University: *

A Report on the Movement in the Women's Clubs in aid of Civil Service Reform: by Miss Elizabeth Foster, of Boston; read by the Secretary; † and

The Choice of Correct Methods in the Administration of the Civil Service of American Dependencies—by Elliott H. Goodwin, of New York. ‡

After the reading of papers Mr. Bonaparte, on behalf of the Committee on Resolutions, read the resolutions prepared by the Committee, and moved their adoption as follows:

The National Civil Service Reform League, assembled in its sixteenth annual meeting, was compelled to notice the fact that during the year 1896, for the first time since its organization, its principles had been openly repudiated and a revival of discarded abuses threatened in a platform put forth by a National Convention, and in the public declarations of a candidate for the Presidency. These features of that platform were again approved and enunciated by the same National party and by the same candidate during the current year. We can, at least, say that this avowal of hostility to the merit system does not seem to have brought additional support to the party whose leaders were responsible for it.

At its last Annual Meeting the League protested against the President's order of the 29th of May, 1899, exempting thousands of places from the competitive classified service and relaxing the safeguards of the service, not only because the order was wrong in principle as taking the first backward step, as encouraging the enemies of the Merit System in their attacks, and as creating distrust of the President's faithfulness to his reform pledges, but also because it was certain to prove injurious to the service in its results. The year has shown that the step remains as unjustified in principle as ever, and that it has produced, in practical results, just the injuries to the service that were feared, as the reports of our Committee on various branches of the service have proved. The League therefore asserts without hesitancy, that the restoration of very nearly all the places in every branch of the service excepted from classification by this deplorable order is demanded by the public interest and that the order itself should be substantially revoked.

At its last Annual Meeting the League further demanded that, if any alien lands should be brought under our national dominion, public office therein should be consistently treated as a trust to be administered

* Printed in full at page 79.

† Printed in full at page 86.

‡ Printed in full at page 70.

for the sole benefit of their inhabitants, and declared that to abuse the public service of dependent provinces in the interest of American parties or politicians would constitute a crime against civilization and humanity, disgraceful to our Republic. As a safeguard against this shame and calamity it urged that, in the organization of any governments which might be established for such territories, adequate provision should be made for a non-partisan service, recruited through open competition and assured of promotion through merit, and of continued employment during good behavior and efficiency; and recorded its belief that the President alone, without additional legislation, had authority to make all reasonable regulations for executive appointments. The League now renews these declarations and demands. It has seen with great gratification the recent action of the Philippine Commission appointed by the President, which provides for the establishment of such a service in the Philippine Islands, as an important step in the right direction.

The League pronounces the action of a majority of the Civil Service Commission in refusing access to public records relating to matters of public concern, and in no wise confidential in their character, a violation of the right of citizens in a free country to learn from official sources how faithfully the public servants they pay administer the laws. The force of the reasons assigned for this refusal is gravely impaired by the fact that such access has been for years permitted to the League by the Commission without objection or inconvenience of any kind. This refusal exposes to suspicion the good faith of the officials responsible for it, and suggests the existence of abuses which the records withheld from inspection might disclose. The League demands that this unworthy policy of concealment and secrecy be forthwith abandoned as un-Republican, un-Democratic and un-American.

It cannot be too clearly and generally understood that the principles of Civil Service Reform in no wise countenance any tenure of office other than during the continuance of merit and fitness. The League again expressly disclaims any advocacy of Civil Service pensions as a part of the Merit System, which contemplates such pensions no more than did the system of appointment and removal by favor prevailing before the Merit System was introduced. On the contrary, the protection which an assured tenure during efficiency affords to public servants should enable them, by the exercise of frugality and forethought displayed by all prudent persons, to provide out of their current earnings for the ordinary contingencies of age and infirmity, and the League would see with pleasure the adoption of reasonable rules for the ascertainment from time to time of continued efficiency on the part of public officers through fair and practical tests applied impartially and in good faith.

As it is the evident duty of the President to remove unfaithful or inefficient public servants and bring to justice offenders against the laws of the United States, the League demands the dismissal of every Federal officer who has failed to obey in letter and in spirit the Civil Service law, and also demands the effective prosecution of all who have violated

its penal provisions. The League congratulates the country on the comparative infrequency and secrecy at present of attempts on the part of political managers to plunder public servants through virtually compulsory contributions for partisan purposes, and it regrets that during the last campaign the Chairman of the Republican National Committee failed to aid it, when requested, in discouraging such abuses and crimes.

The League protests against the mischievous practice of distribution among administration Senators the presentation to federal offices in their respective States. This is in violation of the Constitution which gives to the President the power of appointment. The requirement that such appointments be made by and with the advice and consent of the Senate has been perverted so as to give to Senators the appointments, reserving to the President alone the power to consent or decline. Such gross abuse of Senatorial power by Senators sworn to support the Constitution should receive the condemnation of all good citizens.

The League again urges the importance of a sufficient and practical test of character and fitness, to control the selection of Indian Agents, so that the grave abuses and serious evils which at present afflict the Indian Service from the treatment of these positions as political spoils may be abated and partisanship strictly excluded from the entire force.

The League is opposed to the passage of the veteran preference bill now pending before Congress, as calculated to overthrow the Merit System, and as creating a privileged class contrary to the provisions of the Constitution and the principles of Republican government.

The League notes with great satisfaction an extraordinary increase in the number and activity of agencies working for better government throughout the country; it calls attention to the significant fact that such agencies invariably recognize the principles of Civil Service Reform as fundamental in all well considered movements for improvement in the public service and the purification of our political life; it rejoices in the renewed evidence of public interest in Civil Service Reform, which recent events have provoked, and it confidently relies upon an enlightened public opinion to effect the final extension of the Merit System to all branches of our National, State and Municipal governments.

The resolutions as submitted were adopted by unanimous vote.

Mr. Bonaparte moved that the Secretary be authorized to incorporate in the Proceedings the report of the Committee on Political Assessments, which had not been completed in time for formal presentation, and the motion was carried.*

General Aiken, of Connecticut, moved that the thanks of the League be extended to the Civil Service Reform Association of New York, to Mr. and Mrs. William Jay Schieffelin,

* Printed in full at page 54.

and to the City Club, for the courteous and generous hospitality extended to the visiting delegates throughout the course of this meeting. The motion was carried unanimously, and the League then adjourned.

Attest:

GEORGE McANENY,

Secretary,

At one o'clock on the afternoon of Friday the 14th, the members of the League were entertained at a reception and luncheon given by Mr. and Mrs. Schieffelin at No. 5 East Sixty-sixth Street.

On the evening of Friday a banquet was tendered the visiting delegates by the Civil Service Reform Association of New York, at the Hotel Savoy, which was attended by two hundred and twenty-five, including forty members of the Auxiliary of the New York Association and other affiliated women's organizations. The Right Rev. Henry C. Potter, Bishop of New York, presided, and addresses were made by Hon. Theodore Roosevelt, Governor of New York, Hon. Wayne MacVeagh, Charles J. Bonaparte, Esq., Hon. Oscar S. Straus, Minister of the United States to Turkey, Herbert Welsh, Esq., and Hon. William Dudley Foulke.

ANNUAL REPORT OF THE TREASURER.

NOVEMBER 30, 1900.

Balance on hand, Dec. 14, 1899, \$56.17

RECEIPTS:

Subscriptions from New York Association...	\$1,625.00	
" " Chicago " ...	319.00	
" " Washington " ...	300.00	
" " Boston " ...	195.00	
" " Philadelphia " ...	330.00	
" " Baltimore " ...	515.00	
" " Norwich " ...	100.00	
" " Buffalo " ...	100.00	
" " Massachusetts Reform Club.....	250.00	
" " Andrew Carnegie.....	500.00	
" " Augustus Hemenway....	500.00	
" " Miscellaneous.....	105.00	
Pamphlets sold	2.87	4,841.87
		<u>\$4,898.04</u>

DISBURSEMENTS:

Proportion of Salary of Secretary.....	\$1,500.00	
" " " " Assistant-Secretary..	1,100.00	
Clerical services.....	860.70	
Rent of office.....	200.00	
Traveling expenses.....	249.71	
Office expenses.....	191.28	
Printing.....	216.15	
Postage.....	41.00	
Washington Agent.....	111.50	
Paid to F. E. Leupp, balance due on account of expenses of publication of "Good Government".....	352.15	4,852.49
		<u>\$ 45.55</u>
Balance on hand		\$ 45.55
E. & O. E.		

A. S. FRISSELL,
Treasurer.

REPORT OF THE EXECUTIVE COMMITTEE.

To the National Civil Service Reform League :

THE task of reformers in a free country is to make the people think and feel as they think and feel; when the people shall wish what they wish, and shall wish this in earnest, too much in earnest to brook any resistance or any evasion, then, but not until then, will their reform be an established and permanent fact in the national life. When, therefore, we members of the League, look around us, as we do to-day, that we may see what we have done and what we have yet to do, the vital questions which confront us are: "What do the American people think of civil service reform? How far have we awakened the Nation to the iniquities and dangers of the 'spoils' system of politics? What prejudices, what sophistries, what falsehoods yet cloud the judgment, yet drug the conscience, of the people?" For light on these questions, we look first to the meaning of the people's verdict at the late election.

In 1896 there could be no doubt or dispute as to this: then the Republican party received a mandate to carry out the promises it had made. Doubtless this mandate endorsed much more than the promise to take no backward step in civil service reform, to honestly and thoroughly enforce the existing Federal law and to extend its scope wherever practicable, but it endorsed nothing more unequivocally or more emphatically. This year the platform of the same party substituted silence for its pledge of four years since; it had taken a backward step, and a long one; it had failed to enforce the existing law either thoroughly or honestly; it had failed to extend that law's scope where such extension was practicable and even easy.

On the other hand, the Democratic platform reaffirmed its frankly hostile utterances of 1896, and its principal candidate expressed again, in substance, the same sentiments

against which the Executive Committee, with the subsequent sanction of the League, had protested four years before; moreover the choice of its candidate for the Vice Presidency, when contrasted with that of its rival, gave significance to the contest. A friend of the reform could not fail to see that the past of Adlai Stevenson illustrated one set of ideas and principles and the past of Theodore Roosevelt illustrated another.

There are, however, two facts which recent history has proved anew for any who still needed the proof: one must indeed be blind and deaf to now doubt that our typical professional politicians, those men among us who are in politics for what they can make out of politics, whatever the party to which they have fastened themselves, whatever the shibboleth they repeat or the opinions they profess to hold, are all alike enemies to civil service reform. They may wrangle among themselves over the offices, but one and all recognize in us, who would take the offices away from parties and factions and bosses and rings, and give them back to the people, all recognize in us their natural enemies. And it is no less evident for those who can and will see the plain truth that avowed hostility to civil service reform strengthens no party at the polls. It was well for the Republicans that they were silent when the Democrats assailed it openly; it would have been better had they stood forth its defenders, as in 1896. The periodical outburst of vituperation against the law and the Commission, which had become a matter of course in Congress until at this session the country was happily spared it, may have helped the second and third class politicians who figured in it to curry favor with their dependents useful at primaries and conventions; but it has never gained votes for their respective parties, never raised themselves in the esteem of honest men.

In every part of the Union the past ten years have seen associations formed among the most reputable and most enlightened members of the community, each having for at least one of its objects to promote good government in one or more of our cities or states. Nearly five hundred such societies were invited to take part in the recent conference called by the National Municipal League in Milwaukee and almost every day we hear of a new one. This widespread agitation shows that the people feel daily more and more keenly, see

daily more and more clearly that the abuses of our government, the corruption of our politics, the degradation of our public men, constitute a burden, a peril and a disgrace for the nation; but if we scan it more closely, it shows us more. Of these societies all the more recent and more prominent recognize the establishment of the merit system as a feature, and a feature of growing importance, in their programme. Twenty years ago many worthy citizens *really* doubted whether civil service reform was practicable or suited to our institutions; to-day one who *says* he doubts this, makes more than doubtful his claim to political intelligence.

The people already see that the principles of this League are the principles of honest government and pure politics; they may see this yet but as in a glass darkly, but the day will come, it is rapidly coming, when they will see this clearly, and when they thus see it the League's work will be done.

For the Committee,

CHARLES J. BONAPARTE,

Chairman.

These figures show that the "exceptions" from the requirements of the civil-service law, whether brought about through Executive or Legislative action, have been, during the year they cover, almost twice as numerous as appointments made in the manner the law intended. A certain proportion of the appointments so made were, no doubt, unavoidable, but these cases are exceptional, and cannot materially affect the totals given.

The Committee gives the following summary of the general course of the Administration and of the present Congress in relation to the civil service; incidentally, showing more clearly the significance of the above figures:

PRESIDENTIAL APPOINTMENTS.

I. So far as the Committee has been able to learn, appointments of local Federal officers of the Presidential class have been controlled almost exclusively by Senators and Representatives, or unofficial political leaders, whose selections the President has ratified. While good men are sometimes secured through this system, in the majority of cases those appointed are active local politicians, whose disposition to provide places for their adherents furnishes a serious obstacle to the satisfactory administration of the civil-service rules at the outset. Among Presidential officers in the general branches—including business officers strictly, and not those that are properly political—the changes have been almost universal. In the Consular Service, for instance, more than 90 per cent. of the salaried offices were refilled during the first year of the Administration, and in the Indian service, during the same period, 62 per cent. of the agents.

CHANGES IN "EXCEPTED" POSITIONS.

II. Positions in the classified service excepted from competitive examinations are virtually unclassified, for removals may be made from them without restraint, and appointments are absolutely at the will of the appointing officer. The number of these positions has been greatly increased. On March 3, 1897, at the close of the preceding Administration, there were, all told, only 866, of which number 570 were of assistant postmasters. On July 27, 1897, President McKinley added 533, deputies and others in the Customs and Internal-

Revenue services, previously subject to competitive examination, and on May 29, 1899, approximately 4,000 more, in addition to the number removed absolutely from the classified service at that time.

VIOLATIONS IN COMPETITIVE POSITIONS.

III. As the classified service has grown, it has been observed that violations of the civil-service law, both now and heretofore, have occurred most frequently in the branches most recently included. After the change of March 3, 1897, there were many irregular appointments in the classes brought under the rules a year, or three years before, and not a few in branches longer established, coupled very frequently with irregular removals. These were mainly in the Internal Revenue Service, the Land Office service, the Government Printing Office, the branches of the Department of Justice outside Washington, and the Pension Bureau, and in certain of the custom-houses and post offices—notably at the post-office in Philadelphia. The Civil-Service Commission addressed repeated protests to the departments concerned in these violations, but in very few cases with satisfactory results. The records of their investigations, which the committee has examined carefully, cover 127 pages of their fourteenth annual report, 114 of the fifteenth, and 67 of the sixteenth.

On September 17, 1897, the League addressed a letter directly to the President, inviting attention to the growing number of offences, and asking that measures be taken to stop them. Where the rules had been most flagrantly disregarded, the dismissal of the guilty officer was urged, and the very satisfactory results of the examples of this sort made by President Cleveland were cited. On March 12, 1898, the League submitted a report showing the results of its investigations in the Philadelphia Post-office, where, it was shown, the Postmaster, Mr. Hicks, had removed many subordinates of known efficiency from positions of the higher order because of their political or factional affiliations. On March 15, 1898, it presented to the President a general report on violations throughout the service, with exhibits, and again asked that the offending officers be dismissed. In these cases also, however, there was no correction—except in so far as irregular appointments were nominally validated by the order of May 29, 1899.

It is also true that no single officer has been removed for violation of the rules, although the rules themselves, in clearest terms, provide this penalty. The nearest approach to discipline of this sort was in the case of Chenowith, Collector of Customs at Nogales, Ariz., who was caught in the theft of question papers in advance of an examination, as well as in other acts of dishonesty, showing his unfitness for any trust. Chenowith was ordered to be removed by Secretary Gage. Through the apparent intervention of powerful influence, however, this order was withdrawn and a resignation accepted. The man is now serving, presumably not far from the American border at Nogales, as a "special agent of the Treasury Department, for confidential duty in a foreign country," at \$4 per day. This assignment is in itself a violation of the rules, against which the Commission has protested, as yet without avail.

Although the President's order of July 27, 1897, seemed to furnish the first substantial check upon removals to be embodied in either the Civil-Service Law or rules—an advance for which Mr. McKinley was most heartily commended at the time by the League—it was feared that through imperfect enforcement the value of this rule, also, would be seriously impaired, and experience has since shown that it has been.

EVASION OF THE RULES.

IV. While direct violations of the rules have been more or less common, indirect evasions have been more so. "Temporary appointments" are an instance in point. Under the rules, persons may be appointed without examination for ninety days' temporary service, in the absence of an eligible list, for emergency work. It is required that this shall be permitted only when the Civil-Service Commission has given its certificate that there is no adequate list. In practice the great majority of these appointments have been made at pleasure and without inquiry as to the state of the lists, continued indefinitely, and reported as long afterwards as the appointing officer chose. This practice, moreover, has grown alarmingly. During the thirteen months following the amended rules of May 6, 1896, 729 temporary appointments were authorized, and during the eleven months from June 1, 1897, to May 31, 1898, 2,365, of which not more than 80 were authorized

by the Commission in any manner. These figures do not include War Department appointments in either case.

In many instances appointing officers failed to assist the Civil Service Commission when called on in preparing examinations to secure permanent appointees, and in others, when lists were actually prepared, they have refused to appoint from them.

Another common method of evasion is the appointment of persons as "laborers"—in which class examination is not required—and their assignment immediately to duties of a higher class. The growth of this practice the Commission frankly discusses in its Fifteenth Report. "Excepted" places are also used to bring persons surreptitiously into the competitive service, as in the San Francisco Custom-house, where the principal deputy was made Chief Clerk, and the son of the Collector appointed, without examination, to the vacancy, only to change places with the deputy when it came to the assignment of duties.

The Post-office Department has adopted a device for evasion that the Committee deems peculiarly reprehensible. When a small post-office is about to be given free delivery (which of itself brings the office force into the classified service), persons have been brought from other cities and even from other States, to take positions in such offices just before they enter the free-delivery class, to be transferred immediately afterward to the office for which they are really destined, thus escaping examination altogether. More than a hundred appointments of this sort have already occurred, despite the earnest protest of the Civil Service Commission. Twelve of those so appointed (presumably without the least experience) have been transferred to the important and high-salaried office of Post-Office Inspector, a proceeding which has been made easily possible by the change in the transfer rule contained in the President's order of May, 1899.

RESTRAINT ON IRREGULAR APPOINTMENTS DELIBERATELY WITHHELD.

V. One of the most serious features of the situation is that, no matter how plainly or how frequently appointments may be made in violation of the law, the Civil Service Commission is powerless to prevent them. The Commission may protest to the department involved, or it may appeal from the Department's

decision to that of the President; but, failing to secure relief from either of these authorities, it is obliged to permit abuses to go unchecked. In the cities of New York and Chicago, and in almost every other place where a civil service system has been established, fiscal officers are forbidden to pay salaries to persons whose appointment is not made in the manner the law prescribes. The Federal Commission assumed that the same rule applied, of necessity, at Washington, and three years ago asked the Secretary of the Treasury to aid it in establishing a proper system of audit. Failing to secure the co-operation of that officer, lists of the names of persons known to be illegally in office were sent to the Comptroller, Mr. Tracewell, with the request that their claims for salary be not recognized. The Comptroller declined to interfere, although the Commission, under date of December 12, 1898, again wrote to him: "A state of anarchy in these appointments obtains at the present time, involving the honor of the administration of the Civil Service Act. With the information given you by the Commission, which is capable of easy verification in case of the slightest doubt concerning the facts, can you not take official cognizance of the matter?" This communication Mr. Tracewell did not answer, but on April 1 following, he gave out a very remarkable opinion, addressed to a United States marshal, to the effect that, even though the Civil Service Act declares that "no officer or clerk shall be appointed" to a classified position except in conformity with its terms, an appointment otherwise made is *not* illegal; that the civil service rules have no force except such as the executive or head of department chooses to give them; and that all persons whose names are on pay-rolls presented to him will be assumed to be regularly appointed, the Civil Service Commission's denial notwithstanding. The decision, although directly opposed to rulings of the Supreme Court, is, nevertheless, binding, so long as Mr. Tracewell himself remains undisturbed. Its effect is disastrous, for although, of course, many appointments continue to be made in compliance with the law, the full number that are not so made, and that may never be reported, remains quite unknown and undeterminable.

The two following ready instances show what can be done: In the report of appointments in the Post-office Department for June, 1899, there appeared the names of twenty-four per-

sons under the head of "temporary clerks appointed under the act of Congress, approved February, 1899." The act in question merely gave the right to appoint, and did not exempt from civil service examination. This was promptly explained by the Commission to Assistant Postmaster-General Heath, but the letter remains unanswered, while the clerks are retained.

Again, in the Treasury Department, noncompetitive examinations are required, under the President's late order, for certain positions in the Customs and Internal Revenue services. Few of these have been held, but in cases where they have, and where the candidates have failed absolutely to secure the minimum of 70 per cent., qualifying them for appointment, they are still retained, their rejection by the Commission notwithstanding.

THE "WAR EMERGENCY" APPOINTMENTS.

VI. On the plea that the Civil Service Commission had no means of meeting the emergencies growing out of the war with Spain, about 1,200 further appointments without examination were made in different departments under special provisions in the war-appropriation acts. There is no means of securing exact figures, since these appointments have not been reported to the Commission, and the League's request for access to the proper records in the Treasury Department has been denied. On August 1, 1899, however, the number was known to be at least 1,042. At the time of these appointments there were on the Commission's lists of eligible clerks 6,180 names, so that practically the entire force required might have been selected therefrom in less time than it took to get them through the means actually adopted. In the subsequent appropriation bills, where provision has been made for additions to this force, the exemption from examination has been invariably repeated, although the adequacy of the Commission's machinery has been repeatedly explained by its President to the appropriate Congressional committees. Any clerk may now be appointed without examination if it is declared that the necessity for his employment "arises out of the war with Spain."

THE CENSUS FORCE.

VII. Although Mr. Carroll D. Wright, *ad-interim* Director of the Census, informed Congress that more than \$3,000,000

had been added to the cost of the Tenth Census by reason of the failure to select the working force through the merit system, this system was again deliberately set aside in the taking of the present census, and—though the heads of bureaus have been efficient and well-trained men—otherwise, the methods adopted in the former census, which proved such a costly failure, were followed almost exactly. The tests required, which were of the “pass” description, no doubt debarred the absolutely unfit, but the benefit of open competition was lost, and, as the process of selecting clerks and other subordinates continued, only persons endorsed by a Senator or Representative were considered at all.

THE ORDER OF MAY 29, 1899.

VIII. It was while the state of the service was as low as the Committee declares, that the President's order of May 29, 1899, was issued. That order and its effects the Committee will review in a separate report. It may be stated in connection with the present report, however, (1) that it removed from the competitive to the “excepted” list about 4,000 places, and from the classified to the unclassified service about 6,000 more; the latter being mainly in the field branches of the War Department, subject at the time to a competitive registration system—which, owing to the failure of the Department to make other provision, is still voluntarily employed by some individual appointing officers; (2) that it validated, nominally, many appointments previously made in violation of the law; (3) that it weakened the rules governing transfers, reinstatements and removals, so as to permit new and most serious abuses; and, finally, that it marked the first great reduction in the actual area of the merit system since the act of 1883 was passed.

The Committee presents this review of what it considers a very unfortunate situation, not only that the action of the President may be asked where he has the power to correct, but that every other necessary step may be taken to regain the ground that has been lost, and again to turn the direction of the reform towards the ends the framers and advocates of the Civil Service Law had in view. It will shortly submit a number of specific recommendations for action on the part of the League.

Report of the Committee on the Civil Service in Dependencies.

To the National Civil Service Reform League:

AT the Nineteenth Annual Meeting of the League, held at Indianapolis, in December, 1899, the following resolution was adopted:

"It is beyond the province of the League to pass upon the rightfulness or wisdom of territorial extension, but we demand that if any lands be brought under our dominion, public office therein be consistently treated as a trust to be administered for the sole benefit of their inhabitants. To abuse the public service of dependent provinces, in the interest of American parties or politicians would constitute a crime against civilization and humanity, disgraceful to our Republic. As a safeguard against this shame and calamity we urge that in the organization of any government which may be established in such territory adequate provisions be made for a non-partisan service recruited through open competition and assured of promotion through merit and continued employment during good behavior and efficiency. The President alone without additional legislation has the authority to make all reasonable regulations for executive appointments."

At a subsequent meeting of the Executive Committee the undersigned were appointed a special committee to consider and report upon public measures relating to the subject matter of the foregoing resolution. The situation of the various territories brought under the control of the government as a result of the late war with Spain is in some respects very anomalous, has already given rise to grave problems in national policy and constitutional law, and may yet be productive of results which no one can now forecast with any confidence. But there are, however, certain general principles of government whose recognition is essential to the success of any scheme of administration in these lands; if those principles be disregarded our rule can be neither beneficial nor creditable to us and must be a source of misery to their inhabitants. These principles are succinctly stated in the resolution of the League

already quoted. If we forget that public office in those countries is a trust for the sole benefit of their inhabitants, if we make their civil service a place of refuge for needy American politicians with damaged reputations—or current coin to pay partisan service, and further support for the dependents and satellites of our public men—if, in short, we repeat the errors of our Reconstruction Period without the excuse of inexperience which may be pleaded for those errors, and place the government of the land we have conquered in the hands of “carpet-baggers,” sure to be neither more competent nor more scrupulous than those of the decade after the Civil War, such conduct were mildly criticised if called “a crime against civilization and humanity disgraceful to our Republic.”

It is, therefore, with much gratification that the Committee is able to report an apparent recognition of these truths by the National Administration, and a desire to organize the Civil Service of our dependencies upon the basis of appointment for merit, and tenure during good conduct and efficiency. This has been manifested in the first place by the character of those appointed to high office in the countries we thus hold, which, with a few very unfortunate exceptions, has been uniformly good, and, in several instances exceptionally fortunate.

We have further to note with satisfaction the course of the Philippine Commission, by which, if it be persevered in, the Merit System will be established in the islands of that archipelago at least as thoroughly and consistently as in any department of government, Federal, State or Municipal, in the Union. This must be, in any case, regarded as a gratifying recognition of sound principles of administration on the part of the Commission, and justifies the hope that, within the limits of their jurisdiction at least, no repetition of the scandals of *post-bellum* days will be tolerated.

The ruling of the several Departments that the provisions of the Civil Service Law and Rules, being applicable *proprio vigore* to Federal offices established in the Dependencies which would be classified if within the United States, is also a matter to be noted with satisfaction by the friends of good government. In this connection a serious and delicate question has arisen respecting the status of natives of Porto Rico under the rule restricting admission to the competitive examinations to “citizens of the United States.” By the terms of the bill es-

establishing a civil government in Porto Rico, they are recognized as "Citizens of *Porto Rico* and as such entitled to the protection of the United States." This designation which, *mutatis mutandis*, would be perfectly applicable to an inhabitant of the District of Columbia, and in itself certainly in no wise excludes American citizenship, has, nevertheless, been held by certain officials to shut them out from the competitive examinations under the Civil Service Law. It would seem that a precedent of great force for the determination of this question could be found in the practice of the Commission admitting to examination Tribal Indians, who, it is well established, are not "citizens of the United States." (*Elk v. Wilkins*, 113 U. S. 94.)

Indeed, the relations to the Federal Government of the various Indian Tribes, as established by the decisions of the Supreme Court, would seem to bear a very close resemblance to those of Porto Rico and the Philippines under existing conditions. (*U. S. vs. Kagama*, 118 U. S., 379,—*Cherokee Nation vs. Kansas Railway Company*, 135 U. S., 641.) And if Indians, who can be "citizens" only in the broad sense which extends citizenship to all persons (whatever their political rights) who are at once entitled to protection from the government and owe it allegiance in return for such protection, can be admitted to the examinations, it would seem that no good reason exists for denying this privilege to inhabitants of Porto Rico. This, it should be noted, is a well recognized definition of the word "citizen" which is thus defined in the Century Dictionary:

"A member of the State or Nation, one bound to the State by the reciprocal obligation of allegiance on the one hand and protection on the other."

Since, however, the right of the Commission to admit natives of Porto Rico to its examinations has been questioned, the Committee suggests the advisability of an amendment to the Rules which will in terms permit this, at least in the case of offices to be exercised within the Island. That its inhabitants should be debarred from competition for such places, they regard as wholly inconsistent with justice and sound policy.

In conclusion, the Committee respectfully recommend that the subject matter entrusted to them continue to engage the vigilant attention of the League. We must recognize that a wide difference of opinion exists among patriotic, intelligent

and well informed citizens as to the expediency of our recent territorial acquisitions; but, whatever his opinion as to this question, no American, truly solicitous for the honor and welfare of his country, can fail to be profoundly interested in their good government.

Very respectfully submitted,

CHARLES J. BONAPARTE,
RICHARD HENRY DANA,
WM. DUDLEY FOULKE.

Report of the Committee on Superannuation in the Civil Service.

To the National Civil Service Reform League :

THOSE now in the classified civil service of the United States who have become superannuated, have not entered through the civil service examinations. As pointed out in the last annual report of the U. S. Civil Service Commission, the average age of entrance has been only 28, while the law has been in operation only seventeen years, so that the average age of those who entered in the beginning can be only 45. Neither the law nor the rules require permanency of tenure. Any one can be dismissed for incapacity or inefficiency, as well as for misconduct. In order to secure justice, the appointing officer must give his reasons, and the employee concerned must be given a chance to reply, or to explain, before the final act of dismissal.

If the temptation to make dismissals for political purposes has been removed so that old men are no longer put out simply to make room for political favorites, on the other hand, under the old system there were often political reasons for keeping incompetent old men in office, and stillmore frequently were original appointments made of men who had already passed the age of usefulness just to please influential politicians who wished to foist on the government incapable men who would otherwise be on their own hands or on the hands of influential supporters. Indeed, numerous appointing officers of large experience under the "spoils system" have testified without contradiction that the *needs* of the applicant were most frequently and urgently set forth; his fitness hardly ever.

It is very difficult for public officials, unless compelled by some stringent regulations, to discharge subordinates who have become incapable from old age when these subordinates

have been faithful in the past and are absolutely dependent on their salaries for support. The extent of this evil it is hard to ascertain, some experienced officials considering it greater than others. It is true that mere age tables do not tell the whole story. Some men at seventy-five have more vigor than others at fifty. Yet as an average, seventy may be taken as the general age of the end of activity. In the United States Army sixty-four is the age of retiring. In the civil service the requirements are not so exacting on the physical forces as in the army, with the exception of a few small departments like the Railway Mail Service. It is to be remembered in this connection that experience and knowledge of the history of a department make a man, too old to enter new employment, yet invaluable in that in which he has long served. Every man of business is familiar with such cases. If we assume then that about as many over seventy are thoroughly useful as under it are incapable from old age, we may use seventy as a fair basis for obtaining an approximate estimate of the situation. In the eight departments at Washington in 1893 there were 228 persons of seventy years of age and over out of 11,657, or almost exactly 2 per cent. In 1900, the only other year for which the data are accessible, we find there are 262 of seventy years of age and over out of 10,967, or a little over 2 per cent., making an increase in seven years in the ratio of $6 \frac{2}{7}$ in 10,000, while the number of persons of eighty years and over has actually decreased in those seven years. In the New York Post Office in 1900 there were only 21 of seventy years of age and over out of 3,561 employees, or less than $\frac{6}{10}$ of 1 per cent.

The best answer to the claim that the new system will "fill the public service with old men" is found in the experience of the State Service of Massachusetts. There are 800 positions in that service strictly under competitive examinations. The civil service law has been applied to them for 16 years, and for 24 years before, the appointing power in the state had always been under the control of one party only, the heads of the departments had been retained for long periods without change, and there were no clean sweeps. While vacancies were filled for political reasons, practically no removals were made during all this time except for cause. Therefore this service represents the most stable service for 40 or 42 years, that is known

in the United States, quite as stable as the present classified service of the United States. There is no system of pensions or fixed retirement or fixed terms of office, or age limit or recurring examinations, and yet the Secretary of the Massachusetts Civil Service Commission informs us that only 3 out of the 800 or 3/8 of one per cent. are of 70 years of age or over.

As to the remedies, the more radical ones now generally proposed for superannuation are the following :

- I. A civil pension list.
 - II. A retirement fund to be made up by deductions from salaries.
 - III. A provision requiring endowment or deferred annuity insurance from all seeking admission to the Civil Service.
 - IV. Provision for the forced retirement of a certain percentage of employees each year.
 - V. Recurring examinations for promotion, reductions and dismissals.
 - VI. A daily record of efficiency for the same purpose.
 - VII. Fixed terms of office.
 - VIII. Forced retirement at a certain age.
- And also certain combinations of these.

The three first plans provide for old age support while the last five provide for compelling retirement with no other means of support than what the incumbent may voluntarily have provided for himself. Under provision for old age support a more stable and experienced service is secured. Under the present system in the United States there is great complaint that the more active and efficient public servants who have entered through competitive examinations too frequently retire from the service just as they have gained experience and have reached their most useful period, in order to take positions in private life where promotion and provision for old age can better be secured. Of course, no forced retirement system would lessen this tendency. On the other hand, old age provisions tend to make employees stay on after the age of maximum usefulness till they have reached the age for retiring on a pension, and the number of old employees to be dealt with is larger than in a system where no such provision is made; that is, the supply of old age support increases the demand for it.

I.

The civil pension system has led to great abuses in the past in England. It is extremely unpopular in America. There is danger of a civil service lobby in Congress should the system be adopted. The retired list for the United States Army officers was established in 1861. The officers receive 75 per cent. of their active service pay, and the retiring age is sixty-four, and below that age in case of permanent disability. In the army this system has worked to great advantage and has led to no important abuses and no one thinks of abolishing it. In England the age of retirement in the civil service is sixty, and separation from the service at that age is compulsory with some rare exceptions, while pensions on retirement before sixty are granted in most cases of permanent incapacity. No persons are granted a pension who have not been at least ten years in the service, and then the payment is calculated on one-sixtieth of the salary on retiring for each year of service with 40/60ths as a maximum. The pensions paid in the British service amount to 16 per cent. of the salaries paid for active work. The British pension list is, however, unduly enlarged. For example, many gratuities on retirement are granted where regular pensions are not allowed, and in some cases the pensions are made equal to the full salary. If we should take the retiring age for the United States civil service, as has been before suggested, at 70, instead of 60, as in the English service, the pension list would cost eventually, it is estimated, from 4.3 to 7.2 per cent. of the salaries paid for active service, in order to give pensions of 60 per cent. of the average salary during employment, the average age at entrance being 28. The per cent. varies according to circumstances. It depends upon whether only strong and healthy employees are allowed to enter the civil service or persons of average health. The above per cents. are calculated on the basis of no resignations. With a reasonable number of resignations before 70 the per cent. would be still lower. That the highest rate suggested, namely, 7 2/10 per cent., is amply high is proved from the experience of the British retired civil list where the actual per centage of those retired to those in the service is far below the theoretical maximum that the application of the same mortuary tables, without allow-

ing for resignations, (viz. 21 per cent.) would show, taking the average age of entrance into the British service and the British age of forced retirement.

It is fairer to base a provision for old age on the average salary during employment rather than on the salary at retirement, as the salary at retirement is usually the highest received by the employee, and as otherwise there would be the temptation to secure an increase of salary just before retirement in order to increase the pension.

II.

A retirement fund made up of deductions from salaries might be in two forms, (a) a deduction from all salaries for the immediate support of a retired list and (b) annual deductions from the salaries of those hereafter to enter the service, which should be allowed to accumulate at compound interest to form a fund for annuities payable only to those who have thus contributed.

(a) At present it would take only about 2 per cent. of the average salaries of those in the departments at Washington to pay the full average salaries of those of seventy years of age and over, and only 1.2 per cent. to pay pensions at 60 per cent. of the average salary, and if a further deduction were made from the pensions of those who had been in the service for less than forty years, on the English system, it would require still less. But those now in the service include only those who are able to do some work, while the retired list would also include the absolutely helpless. Besides this a pension at the end of the service tends to increase the number of persons who will stay on for the sake of pension; so that in the future we should have to allow for deductions 4.3 per cent., and possibly even more. Besides other objections this system is extremely unfair to those coming into the service young and staying on for many years. They would have had deducted from their salaries very much more than would have insured them the same annuity at the same age in any insurance company, and those older and nearer the age of retiring would have paid far less than their share.

(b) The plan of beginning with those now entering the service would be more fair. In England this system was begun in 1829. The deductions were 2.5 per cent. on all

salaries not exceeding \$500 (100 pounds), and 5 per cent. on all others. This deduction, considering the high rates of interest on safe investments at that time, and considering the early age of entering the service, might have sufficed but for the large number of persons under 60 years of age who became entitled to share in the fund, and but for the basing of the pensions on the maximum or retiring salaries and some unexpected charges on this fund. In 1857 the fund had amounted, after all payments out of it to over \$5,000,000, but the chief charges on the fund had not then fully matured and it became evident that with the greatly swelled pension list this fund was inadequate, so it was turned into the general exchequer and regular pensions at the same rates were assumed by the government. A royal commission in 1888 reported in favor of returning to the plan of forming a superannuation fund by annual deductions from salaries under proper conditions, but this recommendation has never been followed.

The average age of entering our classified service is 28 years. Starting with that, it would require annual payments of \$27 a year on male lives to pay an annuity of \$600 to those who should attain 70 years of age for every year for the rest of their lives. That would be 2.7 per cent. on a salary of \$1,000. This cost is based upon information furnished by one of the largest life insurance companies in the United States to cover the special case. They actually issue such policies now, under the name of "deferred annuities." On the basis of paying the same annuity at the age of 65 and over, instead of 70, it would cost \$55.20 a year or a little over twice as much as if payable at 70 years of age and over. This difference is caused by deducting five years of payments and five years of accumulations at compound interest and adding five years of annuities to be paid. This difference suggests how much is added to the cost of pensions in Great Britain by making the age of retirement sixty, instead of 65 or 70.

The cost of these deferred annuities includes, of course, expenses and profits of the insurance company. Theoretically the government could insure at less cost, but on the other hand, it must be assumed that the government would be limited to investments in United States bonds with very low rates of interest, while insurance companies can secure 4.5 per

cent. It should be borne in mind that the rate of interest is a very important factor in calculating the accumulations for long periods. Accumulations at 4 per cent. compound interest are far more than twice as great as those at 2 per cent. compound, because compound interest accumulations are on a basis of geometric progression. So that after all, the cost of insurance by the government would be greater than in first class companies.

The government might make deductions on the basis of the cost of company insurance, use the fund for its own purposes and pay the annuities on the same basis as the companies, but this would be making up the difference out of the pockets of the people, and when once the annuities, at least for any considerable length of time, are not strictly confined to a self-sustaining fund, there comes in the old danger of a lobby and claims for special privileges, as in the case of direct pensions. The Brosius bill introduced December 4, 1899, provides a deduction of 2 per cent. for a civil service retirement fund to be invested in United States bonds. The retiring annuities are to equal 75 per cent. of the highest pay received. All persons 70 years of age who have been in the service 35 years are to be compulsorily retired. Persons 60 years old who have been 30 years in the service may be voluntarily retired and so may all disabled persons who have been in the service twenty years. The Civil Service Commission is to decide all questions of retirement and establish regulations. Annuities are to be paid from the retirement fund and not otherwise, and if demands exceed the fund, they fail. Employees who are discharged or die before retirement are to be refunded the amount of pay withheld. It seems quite evident that the 2 per cent. withheld under such conditions will not suffice to pay these annuities.

III.

The advisability of requiring insurance in the way of deferred annuities from all those who enter the service is largely a matter of the cost of this insurance. A deferred annuity payable, for example, at \$600 a year every year of life over 70 on male lives beginning at 28, (the average age of entrance into the classified service), would require payments of \$27 a year, or 2.7 per cent. on an average salary of \$1,000. On a larger

average salary the proportion would be the same. For example, 60 per cent. of an average salary of \$2,000 would be 1,200, and an annuity of \$1,200 at 70 and over would cost \$54 a year beginning at 28 or just 2.7 per cent. of \$2,000. Those entering under 28 would pay less, and over 28 correspondingly more. While this remedy applies only to those entering the service it could be extended by correspondingly larger payments, according to increase of age, so as to apply to all who have been in the service for some reasonable number of years. At the age of 38 for example, which is 10 years over the average of entering the classified service, an annuity of \$600 a year at 70 years of age and over would require annual payments of \$52.20. For those somewhat longer in the service and older, and to whom the increased deductions would come hard, a smaller annuity might be required. To those who are still nearer the age of 70, however, the cost of such a deferred annuity would entail too large a deduction from the salary to be reasonable. For example, it would take a payment of about \$3,600 from one at the age of 69 to procure an annuity of \$500 a year for the rest of his life beginning at 70. As all those now in the service nearing 70 years of age came in before the civil service law was enacted, that law could not be blamed, if the United States government were asked to deal liberally with these cases. Their number is very limited. A considerable part of the cost could be deducted from their salaries, and in a few years the extra expense from this source would cease entirely.

The insurance companies would, we feel sure, after inquiry, be willing to make deposits of good securities in the United States treasury to assure the payment of these deferred annuities. They already make such deposits with various state treasuries as security. The insurance should be limited to all such companies as would consent to this plan and perhaps to such as would also submit to and pass national inspection. There will be no objection to this latter. It would be a good advertisement, and if it would lead to substituting a national examination for the frequent and often useless re-examinations by numerous state authorities, it would be of great advantage to the life insurance system of the country.

To the pure deferred annuities could be added a life insurance payable in case of death under 70 years of age, or various other forms of life insurance at the option of the employees

by paying additional rates so that in case of a death before 70 the estate of the deceased might receive back the face value of the deductions made from the salary. The cost of this added life insurance would be about \$20 a year, beginning at 28 years of age, for one thousand dollars, payable only in case of death before 70 years of age, so that, beginning at 28, an annuity could be secured of \$600 a year if he survived the age of 70, and a cash payment of \$1,000 on death if he should die before 70, on an annual payment of \$47.00, or 4.7 per cent. of the salary of \$1,000. The amount of added insurance is taken at \$1,000, as that represents roughly a little above the average amount deducted from the salaries of those who would die between 28 and 70.

The plan above suggested in its general features has already been adopted in Victoria by the Act of 1890, which requires that such insurance shall be effected during the term of probation as a prerequisite for final appointment. The policies are made non-assignable, and in this country it might be well also to have them deposited with the government.

One of the objections to this plan is that it does not provide for those who become prematurely old before the age of 70 or allow those over 70 who are still useful to stay on. Perhaps a good modification of the plan would be for the Government to allow as many of its employees over the age of 70 as are really useful, to stay on on regular salary, on condition that the annuities falling due on their lives would be used, as long as they remained in the service, as a fund from which to pay annuities to those who had become superannuated under 70 years of age, so that the government could be supporting as many of the superannuate under 70, as there were employees staying on in the service of 70 years of age and over. This more elastic arrangement would cost the government nothing. It would be fair to all, as all on entering would have an equal chance of receiving the annuity before 70 if incapacitated, or of being employed at a salary larger than the annuity when over 70. Some age limits and minimum length of service should be fixed for those receiving annuities under 70. On separation from the service (such as resignation) for other reasons than would entitle one to an annuity, the policy could be assigned to the employee going out, and he could keep it up for his own benefit by continuing the annual payments, or

turn it into other forms of insurance on equitable arrangements with the insurance companies.

In addition to this plan it might be well to provide for honorable transfers in some cases with diminished salaries. Some positions require unusual activity and energy. An incumbent may be unable to do the work of such a position as well as when at the prime of life, and yet be not generally incapacitated, and indeed might be extremely valuable to the government in some other position for which his energies are amply sufficient and where his experience and knowledge would tell. To allow such transfers would give the government the benefit of younger men in the more active offices and yet not lose the experience of the older.

The average age of retirement and the amount and kind of insurance might well be very different from what is suggested here. The suggestions have been made with an idea of presenting some conception of the cost and advantages of such a system.

IV.

Forced retirement of a certain percentage of employees each year has some precedent in the navy of the United States, where it was recently adopted and did good at the time. As a permanent policy it is subject to the objection that it will retire too many at one time, and in one department, and too few at another time, and in another department, and if no provision were made for old age support of some kind, it would be very hard on those who have been long in the service, and have become old, but, not having had previous notice of any such regulation, have made no provision of their own for support after retirement.

V.

Recurring examinations for promotions, reductions and dismissals without provision for the support of those dismissed, are open to the objection last stated; so are also the plans of daily records of efficiency for the same purpose, or fixed terms of office, or retirement at a certain age if taken alone.

Without going too much into detail, it seems that the system of recurring examinations combined with personal inspection and report by a government physician and with the fol-

lowing plan of daily records of efficiency, would be a good method of ascertaining the period when retirement should come to each individual. If it were combined with the more flexible plan of annuities above suggested it would serve as a basis for determining those who could still be retained to advantage though over 70, and those who should be retired under that age.

VI.

As to the plan of daily records of efficiency for promotions, reductions and dismissals whether alone or in combination with recurring examinations and physician's inspection, it certainly seems to have many advantages. The appointing officers can tell better than any one else the real merits of the employees where they are directly under them and where the office is too large for that, the head of the division can do the same, and if a record of daily efficiency is kept, based on a good system of ascertaining the amount and quality of the work done, it would certainly aid very much in securing fairness of treatment and in weeding out the inefficient. Such a system was adopted in the Navy Department under Secretary Long, in 1897, for preliminary tests for promotion, and has been recommended by the Civil Service Commission in its 16th report as very valuable. As to political motives influencing the action of the heads of divisions it may be stated that most of such heads of divisions are now within the classified service, and receive their places by promotion from those who have entered under civil service examinations. As to the best plan to be adopted, however, although the views of experienced appointing officers at present differ a good deal, it seems that in the end they will work out a better plan than this committee can do. But it may be prophesied that any such plan would combine many of the features of both the last two remedies.

VII.

As to fixed terms of office the remedy does not seem advisable. The plan for fixed terms of offices may have two interpretations. It may allow for reappointment at the end of the term, or, dismissal may be final and absolute when the term is completed. If reappointments are allowed it

is but a haphazard remedy at best and pretty sure to be ineffectual. It is haphazard, as many may need to be dismissed before the term expires and it will be ineffectual because the same reasons that prevent removal for old age and incapacity will induce reappointment. Under the four year term law, if there is no political motive for removal, there is never any pretense even of an examination of the record of efficiency, and reappointment becomes a perfunctory affair, and many illustrations can be given of reappointment of persons who have passed the age of usefulness, on grounds of pity, even apart from any political influence. For example in the service of the State House at Massachusetts the only old man kept in an important position of late years after his usefulness had passed, held one of the few offices that was subject to a four year term. What little political influence there may have been was rather in favor of creating a vacancy, but it seemed so hard to refuse reappointment when he was too feeble to find employment elsewhere, and as his subordinates could do the work, he was continued on and recently died in office. If the dismissals, on the other hand, are made final and absolute it would work great injury to the service by depriving it of the experience gained in office and of some of the material needed for promotions to higher positions. For example, if the ten year limit, which is often suggested, were applied, the very time that an employee has shown his ability for promotion by the best possible test, that of experience in office, he is forever put out of the service.

VIII.

The system of forced retirement at a fixed age has the double disadvantage that some men are dismissed whose services are still of the greatest value and that others who have not reached the specified age are, and perhaps long have been incapacitated are retained. The British system and the United States Army system provide for retirement at a fixed age, but they also provide for putting on the retired list, under suitable conditions, those who have become unfit for service before reaching that age. So those systems are open to only one of the two objections.

RECOMMENDATIONS.

Your committee unanimously recommend as the best remedy for superannuation a system requiring life insurance on the deferred annuity plan by all employees during probation, as a prerequisite to final appointment, the policies to be non-assignable and in government control; and to be secured by deposits from the insuring companies in government control; those employees still capable and useful at the fixed age to be allowed to stay in the service at regular salary, on condition that their annuities go to a surplus fund with which to pay annuities to those under that fixed age who have become incapable from age and through no fault of their own, and a system of daily records of efficiency, combined perhaps with recurring inspection by a government physician and in some cases, with examinations, to determine who can stay in over the fixed age and who below it are to share in the surplus annuities. The exact age at which the annuities would normally be payable, varying perhaps for different kinds of service, the amount of annuity to be paid for in the various grades, the age and conditions under which the surplus annuities would be paid to those superannuated below the normal age, and all other details necessary to carry out the plan as more fully outlined heretofore, should be fixed by regulations to be drawn by some special commission, composed perhaps of the Civil Service Commission and some experienced officials of the departments appointed by the President. It might be well to apply this system to a portion only of the classified civil service, say to the departments at Washington, and the larger post-offices and custom-houses, just as was done when the civil service law was first put in operation, and then extend the system as fast as the commission, with the approval of the President, may deem expedient.

Respectfully submitted:

**RICHARD HENRY DANA,
WM. DUDLEY FOULKE,
SILAS W. BURT.**

Report of the Special Committee on Political Assessments.

To the National Civil Service Reform League :

AT a joint meeting of the General and Executive Committees of the League, held at the Sagamore Hotel, Lake George, on July 28th last, the following resolution was adopted :

That a joint letter be addressed on behalf of the League, by a Committee of three, to be appointed for the purpose, to the Chairman of the respective National Committees, citing the provisions of law respecting the solicitation or receipt of assessments, subscriptions or contributions from government employees, for political purposes, and calling attention to the fact that even in the absence of law this practice is condemned by enlightened public opinion; and, further, that the Secretary be instructed to furnish copies of this letter to the press.

The undersigned were appointed the Special Committee therein mentioned. On August 21st, following, they addressed the following letter to Hon. M. A. Hanna, Chairman of the Republican National Committee :

NEW YORK, AUGUST 21, 1900.

HON. MARCUS A. HANNA,

CHAIRMAN, REPUBLICAN NATIONAL COMMITTEE,

SIR :

On behalf of the National Civil Service Reform League, we ask your aid to prevent the levying of assessments for political purposes upon public servants during the present campaign. The prevalence of this abuse had awakened such general indignation that Congress, in enacting the Civil Service Law, inserted special safeguards against its recurrence in the Federal service. Sections XI, XII and XIV of that law are as follows :

"Sec. XI. No Senator, or Representative, or Territorial Delegate of the Congress, or Senator, Representative, or Delegate elect, or any officer or employee of either of the said Houses, and no executive, judicial, military or naval officer of the United States, and no clerk, or employee of any department, branch, or bureau of the executive, judicial or military or naval service of the United States,

shall, directly or indirectly, solicit or receive or be in any manner concerned in soliciting or receiving, any assessment, subscription or contribution for any political purpose whatever from any officer, clerk or employee of the United States, or any department, branch, or bureau thereof, or from any person receiving any salary or compensation from moneys derived from the Treasury of the United States.

"Sec. XII. No person shall, in any room or building occupied in the discharge of official duties by any officer or employee of the United States mentioned in this act, or in any navy yard, fort or arsenal, solicit in any manner whatever, or receive any contribution of money or any other thing of value for any political purpose whatever."

"Sec. XIV. That no officer, clerk or other person in the service of the United States shall, directly or indirectly, give or hand over to any other officer, clerk or person in the service of the United States, or to any Senator or Member of the House of Representatives, or Territorial Delegate, any money or valuable thing on account of or to be applied to the promotion of any political object whatever."

These provisions of law testify to the solicitude wherewith it was then sought to protect all those in the service of the United States from the injustice and oppression involved in such assessments, and there is the more reason to note in this connection the terms of Section XI because, like the Chairman of the National Democratic Committee, you are a Senator of the United States, so that any solicitation or even any receipt of contributions from Federal public servants, by either Committee, no matter whether "directly" or "indirectly," that is to say, through the agency of any sub-committee or representative, would constitute a plain violation of law. In fact any officer or employee of the United States asked to give an assessment or contribution for political purposes "directly or indirectly" to a committee of which a Senator of the United States is chairman, is solicited to commit a crime.

We cannot question the desire of both Senator Jones and yourself to secure obedience to this law on the part of all who are required to respect and enforce it; but it is, nevertheless, true that in previous campaigns attempts have been repeatedly made to evade its salutary provisions; indeed alleged offences of this nature are even now the subject of official inquiry by the law officers of the government. It is in no wise our purpose, however, to confine what we now say to assessments on Federal office-holders or to acts made unlawful by particular statutes. We believe that, in a free country, the collection of such enforced contributions from public servants of any grade or kind, whether Federal, State or Municipal, who may make them through fear lest refusal be followed by injurious consequences to themselves and their families, is a grave scandal; we have no doubt that such is the belief of honorable and patriotic men, whatever their politics or party, throughout the Union, and we request you, as a good citizen, to join with us in a protest against these wrongs.

We ask from you, therefore, a public declaration that you recognise the right of every man, whether in public or private employ, to the wages of his labor without such molestation and that, so far as may be in your power, you will see that no one suffers because of refusal to comply with any demand for contributions made professedly on behalf of your Committee or of the great party which you represent.

We remain, Sir, Yours very respectfully,

CHARLES J. BONAPARTE, WM. DUDLEY FOULKE, HENRY A. RICHMOND,
Special Committee.

At the same time a precisely similar letter was addressed to Hon. James K. Jones, Chairman of the Democratic National Committee. To the latter communication we received the following reply :

THE DEMOCRATIC NATIONAL COMMITTEE.

CHICAGO, ILL., Sept. 1, 1900.

MESSRS. CHARLES J. BONAPARTE,
W. D. FOULKE, and
H. A. RICHMOND, *Sub-Committee*,
54 William Street, New York City.

GENTLEMEN :

Your favor is received, and I hasten to say in reply that I have observed, and shall continue to do so, the entire civil service law in all respects. Evasions of the law are equivalent to violations, and it is the duty of every American citizen, and especially of every officer, to live up to the law strictly.

I agree with you fully that "in a free country, the collection of enforced contributions from public servants of any kind, whether federal, state or municipal, who might make them through fear that refusal might be followed by injurious consequences to themselves and families," is a grave scandal and I sincerely hope that a healthy public sentiment may very soon render such things absolutely impossible.

I am sure that all of those with whom I am associated politically will continue to observe the law, and that if our party should be successful in the approaching campaign that there will be at no time, during its administration of the affairs of the government, any just ground for complaint that any statute has been evaded or violated in letter or in spirit.

Very respectfully,

JAMES K. JONES.

Senator Hanna returned no acknowledgment of the letter sent to him. The letters of the Committee and of Senator Jones were furnished by the Secretary of the League to the press, and obtained considerable publicity.

The action taken by the League at its present meeting has relieved the Committee from the necessity of comment on

Senator Hanna's failure to comply with their request or even to acknowledge their letter. They heartily endorse the League's congratulations to the country on the undoubted fact that the evils mentioned in their letters to the Chairmen, although still scandalously flagrant and tolerated by prominent politicians, are yet, on the whole, far less frequent, far less open and far less profitable than these have been in the past.

Very respectfully submitted.

CHARLES J. BONAPARTE
WM DUDLEY FOULKE,
HENRY A. RICHMOND,
Special Committee.

Report of the Committee on Access to the Records of the Civil Service Commission.

To the National Civil Service Reform League :

SOME two weeks after the President's order of May 29th, 1899, the United States Civil Service Commission, for the first time in its history, refused, by a vote of two to one (its President, Mr. Procter, dissenting and stating his reasons for dissent in a carefully prepared and out-spoken minute) to permit access to its records to a representative of the League, for the rather vague reasons that to grant this "would be against public policy and not in the interests of the public service." The League, represented in this instance by the Secretary of the Civil Service Reform Association of the District of Columbia, had asked for data with reference to reported violation of the rules in the Appraiser's Department at New York, to removals at certain of the larger Post Offices and Custom Houses, and to the nominations made by the Secretary of the Treasury for non-competitive examinations under the amended rules of July 27, 1897.

Why a disclosure of these matters should have been regarded as peculiarly impolitic at that particular time can be matter of conjecture only, but after some four months of intermittent correspondence, and a hearing given the Secretary of the League in the latter part of October, 1899, access was again granted to all such records as the League had ever desired to inspect. The decision of the Commission was set forth in the following letter :

UNITED STATES CIVIL SERVICE COMMISSION.

WASHINGTON, November 2, 1899.

MR. GEORGE MCANENY,

SECRETARY NATIONAL CIVIL SERVICE REFORM LEAGUE.

SIR :

In response to your communications of October 7 and 30, you are informed that the Commission will allow an agent of your League access to the records of the Commission as requested by you, as follows :

1. Figures and statistics relative to the operation of the civil service act and rules as derived from the periodical reports of appointing officers.

2. The names of persons appointed, promoted or transferred to, or reinstated in, or removed or resigned from positions in the classified service.

3. Files relating to investigations that have been completed or closed touching on the operation of the civil service act and rules,—with the modification that the request shall specify the particular file desired, and that such file shall be submitted to the Commissioners for their approval before access is permitted. This restriction is made for protection of employees and others who may have written to the Commission in confidence.

4. The minutes of the Commission kept in pursuance of section 2 of the civil service act.

Very respectfully,

JOHN R. PROCTER, *President.*

Thereupon the League continued its investigations for about a month, and, in the Spring of the present year, resumed them, until it had ascertained and tabulated facts which sufficiently showed, *inter alia*, the practical results of the President's order of May 29th, 1899, from its date to January 1st, 1900. For reasons set forth in our second letter hereinafter contained, it was subsequently determined to bring the tabulation of these results down to May 29th, 1900; so as to portray the working of the order in practice during a full year; but, shortly after this purpose on the League's part became apparent, the denial of access was repeated. On July 14 a new minute was adopted closing *all* records to any except the Commission's own employees, Mr. Procter again dissenting, and the League's investigations were necessarily suspended. To test the scope and meaning of this minute the League on July 23 made a written request for permission to examine certain records clearly covered by the terms of the letter of November 2nd. This was refused after a long delay and several inconclusive replies on the part of the Commission. The undersigned had been meantime appointed a Special Committee to take such further action on behalf of the League as might seem appropriate in the premises; as soon as informed of the Commission's definitive refusal, we addressed it the following letter:

NEW YORK, September 12, 1900.

TO THE UNITED STATES CIVIL SERVICE COMMISSION,

GENTLEMEN :

On July 23rd last, the Secretary of the National Civil Service Reform League, Mr. George McAneny, requested permission for a representative of the League to examine such records of the Commission as would show :

"(1) The number of persons appointed from eligible lists to competitive positions in the several Executive Departments and offices during the period from May 29, 1899, to December 31, 1899.

"(2) The number of persons appointed under temporary certificates to competitive positions during the same period.

"(3) The number of persons appointed to excepted positions not subject to non-competitive examination during the same period.

"(4) The names of persons holding positions in the Internal Revenue and Custom services (excepting storekeepers and gaugers) who have been appointed since May 29, 1899, or who were appointed prior to that date and examined after it, showing in each case, (a) the date of appointment or nomination, (b) the date (where entered) of the request of the Department for examination, (c) the date of examination and (d) the rating received in percentage."

At the same time Mr. McAneny further requested on behalf of the League that its representative might be permitted to ascertain whether six specified persons were "still in the Customs Service; if not, at what dates they were separated therefrom."

On November 2, preceding this request, you had informed the League that its agents would be allowed access to your records, including such as would show, *inter alia* :

"1. Figures and statistics relative to the operation of the civil service act and rules as derived from the periodical reports of appointing officers.

"2. The names of persons appointed, promoted or transferred to, or reinstated in, or removed or resigned from positions in the classified service."

Prior to the incident leading to the correspondence, of which your letter of November 2 formed part, the Commission had acted consistently upon a principle thus stated by your President in an official minute :

"Nothing so much fosters the spoils system as secrecy in the administration of patronage. . . . People have a right to know what their officials are doing, and if the records are closed to their inspection they will imagine evils which do not exist."

In the language of its Eighth Report, published during the administration of President Harrison by Messrs. Charles D. Lyman (now Appointment Clerk of the Treasury Department), Theodore Roosevelt (now

Governor of New York and candidate for the Vice-Presidency) and Hugh S. Thompson :

"One of the chief aims of the Commission is to keep the public thoroughly informed of the workings of the law, to keep the public confident of the honesty with which the law is administered."

"The books and records of the Commission and of all the local Boards are open to any responsible person. No fraud can be committed without leaving a record by which it can be found out."

Investigations made by the League into the immediate effects of the President's order of May 29, 1899, which was the first act of any President since the enactment of the Civil Service Law whereby the application of the Merit System to the Federal Service was sensibly curtailed, led on June 13, 1899, to the discovery that a majority of the present Commission appeared to dissent from the views thus expressed by Messrs. Lyman, Roosevelt and Thompson, and that the Commission, as well as the President, had seemingly adopted a new policy.

Whatever may have been the League's regret at this change in the Commission's course, it adapted its action to the views expressed in the Commission's letter of November 2, above quoted. The information for which it subsequently asked, from time to time, was precisely such as the Commission had then announced itself ready to afford; moreover, in obtaining this information, it was careful to guard against imposing any expense on the Government or interfering in any wise with the current work of the office. On July 23, it requested leave to ascertain, at its own cost, from the very records mentioned in the Commission's letter of November 2, certain facts which were evidently calculated to shed light upon the operation of "the Civil Service Act and Rules" since the President's order of May 29, 1899. But this request, after a long delay, has been finally refused, and, consequently, at a joint meeting of the General and Executive Committees of the League we were directed to lay before you and the public, appropriate representations respecting this refusal.

We submit that officers of the United States, whatever their rank or duties, are servants of the American people; that they receive the people's pay and spend the people's money; that their business is to give effect to the people's will and protect the people's interest; and that from their masters they have no proper secrets; what they do or leave undone, in the work they are employed or paid to do, concerns all Americans and can rightfully be hidden from none. To this elementary principle of free government there are, indeed, certain recognized qualifications, justified by the exigency of war or diplomacy, or the avoidance of needless publicity for scandalous or confidential matters. With these, however, we have no concern, for, in the present case, no such considerations apply; the information asked relates to no secret of State, to no question of individual morals or private life. The League wishes to discover, and, if need be, to publish, results of certain action on the part of the President, action taken in the discharge of his official duty; these are facts which in the public interest ought to be made known

just as soon as they can be stated with certainty. We submit that your refusal to permit the League's representative to examine public records, creates a gratuitous hinderance to the people's knowing the truth as to the conduct of their own officer.

In view of these very serious considerations, we hope that you will rescind your recent action on this subject, and remain,

Yours very respectfully,

CHARLES J. BONAPARTE, EDWARD CARY, FREDERICK L. SIDMONS.
Special Committee, National Civil Service Reform League.

This letter led to further correspondence as follows:

UNITED STATES CIVIL SERVICE COMMISSION.

WASHINGTON, D. C., September 28, 1900.

Messrs. CHARLES J. BONAPARTE, EDWARD CARY, and
FREDERICK L. SIDMONS,

Special Committee, National Civil Service Reform League,

GENTLEMEN:

This Commission is in receipt of your communication of September 12, transmitted by the Secretary of the National Civil Service Reform League, submitting certain statements concerning the furnishing of information to your League by the Commission. Reply to your letter has been delayed in order to enable the Commission to determine to what extent information had been furnished on request of the Secretary of your League in the past.

Apparently your communication is the result of entire misapprehension, as this Commission is, and always has been, in full harmony and accord with what is said and quoted in your letter respecting the desirability of the widest possible publicity concerning the operation of the civil service law and rules and the results of the work of the Commission; and the Commission knows of no action on its part which, expressly or by any implication, could be regarded as contrary to these views, and is not aware of any change of policy whatever in this respect; on the contrary, the present Commission has gone further in the direction of publicity than any previous Commission, notably in the opening to persons in interest of registers which had previously been kept secret, so that every appointment thereafter might be thoroughly scrutinized in order to determine whether the law and rules in this respect were honestly and fairly administered, and a much wider diversity and amount of information has been published in the annual reports of this Commission than heretofore. Moreover, the records of the Commission show that all of the great amount of information requested by the Secretary of your League since June 13, 1899, the date you allege as the beginning of a change of policy, has been furnished as promptly as the condition of the Commission's business and the status of the matters involved would permit, with the single exception of the last request made at the end of his letter under date of July 23, 1900, for information concerning the continuance of six persons in the customs service, which request was evi-

dently overlooked because not enumerated with the requests contained in the body of his letter. As soon, however, as this item was brought to the attention of the Commission, steps were taken to furnish the information.

On July 14, 1900, the Commission adopted the following minute :

"Ordered, That hereafter whenever a request is received for information concerning the Commission's work, before the data for such information has been prepared for the annual report or for other public use, if the information desired be such as to justify it, the Commission will furnish such official information and facts as may be in its possession, as well as copies of its files and records, to such outside parties or organizations as request the same, so far as the good of the public service and the limited force of employees of the Commission will warrant.

"It is further ordered, That hereafter no person who is not a member of the Commission's force shall have access to its files and records for the purpose of preparing information for any unofficial purpose."

It will be seen that this minute again emphasizes the purpose of the Commission to continue to furnish all possible information to the public, so far as the good of the service and its limited force of employees will warrant. At the same time, because of the embarrassment the Commission has suffered through the action of persons not responsible to it who have from time to time obtained almost unrestricted access to its files and records, including some which at the time were of a nature which the public interest demanded should not then be made generally known, and because of the failure of the precautions which the Commission had taken to prevent improper use of the privileges granted such persons, and also the undue interference with the transaction of its current business, it was ordered that no persons not members of the Commission's force should have access to its files and records in order to prepare information for unofficial purposes. This latter provision does not in any way curtail or abridge the opportunity to secure all proper information concerning the operation of the civil service law and rules, and it is believed that through it the Commission will be relieved from the embarrassment and interference with its work heretofore referred to, as well as the further liability of wide misconception and misrepresentation in regard to its work occasioned by the many errors which have been made heretofore by persons engaged in compiling information who had little or no knowledge of the Commission's work and consequently were prone to fall into egregious errors concerning it, thus prejudicing and rendering practically valueless their results.

Notwithstanding the statements made by the Secretary of your League, the Commission's files and records show that substantially all of the information proper to be furnished to the public which was requested in his letter of July 15, had already been furnished to him, and therefore he was advised, under date of September 8, that because this information had been furnished and because of the urgency of the public business,

the transaction of which had been and would again be interfered with by the presence of your agent, "The Commission must therefore at present decline to permit your representative to consult the records as requested in your letter of July 23." Inasmuch as your Secretary again requested, under date of September 12, that the League's representative be given access to the files and records in order to again compile the information, he was informed under date of September 20, in pursuance of the minute of July 14 above quoted, how the information desired might be secured without causing the public interest to suffer and at the same time furnishing information entitled to all the credit given to that officially promulgated by the Commission, as it would be prepared by the persons most competent and best qualified to accurately and correctly compile it.

In conclusion, this Commission desires it to be distinctly understood that the files and records showing the operation of the civil service law and rules and of the results of the Commission's work continue to be open to the public in the same manner and to the same degree as formerly, and that any person desiring information on any specific point, not incompatible with the public interest, will be promptly furnished therewith, and will be shown the file and record in relation thereto if desired; but, in the discretion vested in the Commission as the responsible custodian of its files and records, it has determined, for the reasons herein stated, that it is clearly in the public interest that this publicity be given in the manner herein described, and that it clearly is not in the public interest to allow unrestricted and indiscriminate access to its files and records.

By direction of the Commission.

Very respectfully,

JOHN B. HARLOW,
Acting President.

NEW YORK, October 18, 1900.

TO THE UNITED STATES CIVIL SERVICE COMMISSION,
WASHINGTON, D. C.

GENTLEMEN :

Your letter of September 28, in reply to ours of the 12th, with reference to the right of access to the Commission's records, informs us that :

"The Commission is and always has been in full harmony and accord with what is said in the Committee's letter . . . and knows of no action on its part which expressly or by implication could be regarded as contrary to these views, or of any change of policy whatever in this respect."

This information is very gratifying, but we must add that it is no less surprising. The policy of the Commission before the President's Order of May 29, 1899, was described by Messrs. Lyman, Thompson and Roosevelt, as follows :

"The books and records of the Commission and of all the local Boards are open to any responsible person. No fraud can be committed without leaving a record by which it can be found out."

In the minute of July 14, 1900, to which you refer, the Commission declared its purpose to deny thereafter access to *any* of its records to *all* persons "not members of the Commission's force" and added:

"All orders or minutes heretofore made by the Commission in conflict with the provisions of this order, are hereby revoked."

This latter part of the minute you did not quote.

Until enlightened by your letter, we certainly regarded this action as indicating a definitive abandonment of the policy of Messrs. Lyman, Thompson and Roosevelt; and no less certainly we were not alone in that opinion, for, on June 13, 1899, when, for the first time in its history, the Commission denied to the National Civil Service Reform League access to its files, the President of the Commission (Mr. Proctor) said in a dissenting minute:

"The vote of the Commission to keep its records secret is an absolute reversal, for the first time in the history of the Commission, of a policy which has been universally commended as wise."

"It has been the constant public boast of the Commission that its records are subject to inspection and that the inspection is invited. I can conceive of nothing which is calculated to do more damage to the work of the Commission, and its power for good, than the refusal to permit access to files of cases in which action has been completed."

Since, however, you say that "misapprehension" exists as to the consistency of the present with the past practice of the Commission in this respect, we respectfully suggest that you can readily remove this "misapprehension": your predecessors, Messrs. Lyman, Thompson and Roosevelt, told the public: "The books and records of the Commission . . . are open to any responsible person;" you have only to tell the public that this is still true.

You further tell us that:

"Notwithstanding the statements made by the Secretary of your League, the Commission's files and records show that substantially all the information proper to be furnished to the public, which was requested in his letter of July 23, had already been furnished to him."

This passage in your letter has caused the delay in its acknowledgment by leading the Secretary of the League to request that we further examine his somewhat voluminous correspondence with the Commission before replying.

While we do not understand that the question as to what had or had not been secured by the League at the time of previous examinations of the records has any pertinence to the question really at issue, we feel that the facts in this regard may be briefly stated: Having obtained limited access to the files of the Commission in November, 1899, after a

tedious delay of five months, the League ascertained and tabulated facts which showed, with certain omissions, the practical working of the President's order of May 29, 1899, from its date to January 1, 1900. It was subsequently decided to extend this investigation until the results of a year's application of the order could be shown, and, at the same time, both to complete and verify the work already done, and to take up certain additional subjects. Before the new work was finished however, the Commission's minute of July 14 was adopted. It was this that led to the Secretary's letter of July 23, asking directly for access to records clearly covered by the Commission's concession of November, 1899.

The particular omissions to be covered in completing tables were not specified for the reason that this, very naturally, was not understood to be necessary. The letter was met with a repetition of the denial of access contained in the minute of July 14. Aside from the question of pertinency, we do not see why the Commission should cite the incident of July 23 as a reason for its action taken nine days previously; nor can we agree with the Commission if it holds either that "substantially all the information" to be gained by *twelve* months' experience is afforded by the first *seven*, or that such information can be "proper to be furnished to the public" when it relates to the year 1899, and improper when it relates to the year 1900.

It so happens that the additional enquiry referred to was undertaken by reason of a conversation of our Secretary with the President himself. The results of the League's investigation, although incomplete, were so startling that Mr. McAneny, by direction of the Executive Committee, obtained an audience of the President, and asked if he would give consideration to a memorial, pointing out in detail the deplorable consequences of his Order, and praying for its revocation. The President replied courteously that he would *consider* anything the League submitted, but that he regarded any criticism of the Order's working as premature until it had been given a fair trial. The League then determined to await the expiration of the full year from May 29, 1899, before preparing its intended memorial, and circumstances caused some further delay.

Whilst the Commission has never said that the agents employed by the League in its investigations are not "responsible persons," or that in any specified instance the work of the Commission has been impeded by their presence, the language it has used might well give this impression to a careless reader. We deem it proper, therefore, to mention in this letter that the two gentlemen, Mr. F. B. Tracy and Mr. George A. Warren, successively employed by the League for these purposes, are, as you well know, men, not only of high standing and excellent reputation, but also exceptionally competent for this particular work, and that tables originally prepared by them for the League are published, with certain additions, among the appendices to your Sixteenth Annual Report. The League has been glad to furnish copies of such tables to the Secretary of the Commission, in reciprocation of his personal courtesies, whenever they have been desired, and has been gratified to learn that they have proved practically useful.

In conclusion, permit us to say that the Commission's professed readiness to furnish such measure of information as "it is clearly within the public interest to give" and "so far as the good of the public service and its limited force of employees will warrant" is, again, quite beside the question at issue. Everyone knows that you have confidential records touching the character and antecedents of applicants for public office; to these the League has never asked or desired access. Your remaining records, in the words of Messrs. Lyman, Thompson and Roosevelt, of right "are open to any responsible person", and for this freedom of access no substitute will, we venture to say, be accepted as sufficient by public opinion. We therefore respectfully renew the request of our previous letter, that we may among other things, complete, in accordance with the suggestion of the President, an accurate and adequate statement of the operation and consequences of his order of May 29, 1899, after it had been given a fair trial.

We remain, Gentlemen, Yours very truly,

CHARLES J. BONAPARTE, EDWARD CARY, FREDERICK L. SIDONS.

Special Committee, National Civil Service Reform League.

UNITED STATES CIVIL SERVICE COMMISSION,

WASHINGTON, D. C., Oct. 25, 1900.

Messrs. CHARLES J. BONAPARTE, EDWARD CARY and
FREDERICK L. SIDONS,

Special Committee, National Civil Service Reform League.

GENTLEMEN :

This Commission is in receipt of your communication under date of October 18, 1900, in reply to the Commission's communication under date of September 28, 1900, and respectfully advises you that, after a careful reading, your communication does not seem to contain or advance any matters upon which the views of the Commission are not already expressed in its communication under date of September 28, 1900.

As to your request contained in your communication of October 18, that you "may, among other things, complete, in accordance with the suggestion of the President, an accurate and adequate statement of the operation and consequences of his order of May 29, 1899, after it had been given a fair trial," your attention is again respectfully invited to the Commission's communication of September 28 and to the Commission's communication to your Secretary under date of September 20, 1900, wherein it is pointed out in detail how all proper information which is obtainable from the Commission's records, and which you may desire in the compiling of any statements which you may be preparing or for use in connection with any investigations which you may be prosecuting, may, in the opinion of the Commission be best and most satisfactorily obtained, and wherein it is stated that, in accordance with the method pointed out, the Commission will always be glad to consider re-

quests from your Secretary for such information as the League may desire.

Therefore, if you, your Secretary, or any other member of your League, will kindly indicate just what information is desired at this time, the Commission will be pleased to have the same furnished in accordance with its communications of September 20 and September 27.

By direction of the Commission :

Very respectfully,

JOHN B. HARLOW,

Acting President.

We deem no further comment necessary on the Commission's attitude than is implied in plainly stating it. The Commission offers to let its own employees obtain information for the League from its files; it refuses to let the employees of the League, to whose character and fitness for such work it has no objection to offer, obtain this information at the League's expense, under whatever reasonable regulations may be needful to prevent interference with the work of the office, no complaint of such interference having ever been made in the past or being made now. The Commission professes its willingness to furnish information 'if the information desired be such as to justify it' and '*so far as* the good of the public service . . . will warrant,' but its decision on these questions must be made when each application is received and is not to be governed by any such general rules as were set forth in its letter of November 2nd, 1899; so that precisely the same data may be furnished at one time and denied at another, or granted to one applicant and refused to the next. Moreover, the information furnished on any subject will be, not necessarily *the whole* truth, as shown by the Commission's records, but the truth thus shown *so far as* in the judgment of the Commission, 'the good of the public service will warrant' its disclosure.

We have said that in 'our' judgment this attitude, when clearly defined, needs no comment, but one word may be fitly said of it in conclusion; this was not the attitude of the Commission when the present Vice-President elect was one of its members. Then, in the words of the Eighth Report, 'the books and records of the Commission' were 'open to any responsible person'; now, under the minute of July 14, 'no person who is not a member of the Commission's force shall have access to its files and records'; then, Mr. Roosevelt and

his colleagues said: 'No fraud can be committed without leaving a record by which it can be found out'; now, such a record may perhaps be left, but whether its exists or not, no one but 'a member of the Commission's force' can know, and whether the fraud shall be found out by the public depends on the Commission's judgment as to *how far* 'the good of the public service will warrant' letting in the light of day. In their Eighth Report, above quoted, the Commissioners then in office spoke like men conscious that they were doing their duty and having the courage born of such consciousness; on the language of the majority of the present Commission we have already declared comment needless.

Very respectfully submitted,

CHARLES J. BONAPARTE,

EDWARD CARY,

FREDERICK L. SIDDON,

Special Committee.

The Choice of Correct Methods in the Administration of American Dependencies.

BY ELLIOT H. GOODWIN.

TWO years ago, at the annual meeting of the National Civil Service Reform League in Baltimore, Mr. Dorman B. Eaton spoke on the need and best means for providing a competent and stable civil service for our new dependencies. His thorough study of civil service reform in Great Britain, his experience in the institution and practice of civil service reform in this country, add weight to the words in which he approached the new problem:

"These truths are equally fundamental and important: that a community cannot maintain its political morality, improve its government, or even prevent the decay of both, without habitually bringing into its official leadership true representatives of its best character and capacity. These great truths should be regarded as all the more admonishing, and they are all the more vital, when a government intervenes in the affairs of a foreign people while proclaiming its purpose of establishing its own dominion for their improvement."

The results of the recent election have made it patent to all that—if not permanently—at least for a considerable time to come we must face the problem of governing dependent peoples, in race, language and custom widely differing from us. Few, even among the bitterest opponents of the policy of the administration regarding Porto Rico and the Philippines, wish to see them eventually separated from this country as a result of maladministration. Yet our success in our new calling depends upon the readiness with which we meet our new responsibilities; and among these none is more important—as Mr. Eaton has pointed out—than the establishment of an honest and efficient corps of officials. In an earnest search for the best method for recruiting such a corps, we are met at the outset by the fact that the application of the civil service

reform system in the only form in which it is known to us in this country, may well serve as a means for selecting men to fill the subordinate positions; but it is, to say the least, doubtful whether it will suffice as a method of procuring officials to occupy the posts of trust and responsibility in the administrative service.

Briefly stated, the merit system as applied in America contemplates the existence in the community of men whose training and experience have fitted them to fill the positions for which the government requires them. For all kinds of clerical positions, and even for those demanding technical knowledge, there are plenty to choose from. The examinations are in no sense academic; they aim to test the applicant's knowledge of the duties of the position and great weight is allowed in marking for actual experience in a similar position. But there is no class in the community which has had experience in the government of eastern races, or anything similar to it. No examination based on the recognized duties of these administrative officials can adequately test the capacity of the candidates to cope with new and unforeseen problems, or their tact in dealing with the natives. These results can only be obtained by a course of training in the country itself, and the problem narrows to the question of the method of selecting the men best fitted to undergo this training.

It is precisely this question of the best methods of selection and training which can be introduced in this country, which, within the limited time allotted to me for so large a subject, I propose to discuss.

England has already solved the problem to her own satisfaction. From her experience in India we have the most to learn, both because it is a large dependency, not suited to western colonization, and because, in the course of a long history, England has made trial of three distinct methods of recruiting the administrative service. At first a system of open patronage prevailed. This was followed by the foundation of Haileybury College in 1806 as a training school for future administrators. Admission was obtained only on nomination by the Directors of the East India Company, but the College made use of the same means for weeding out the poor material that are employed in West Point and Annapolis. The third stage resulted from the report of the Macaulay Commis-

sion in 1853. Haileybury was abolished, and since that time appointments to the administrative and judicial service of India has been made from the candidates standing highest in an open competitive examination, conducted annually by the Civil Service Commissioners in London.

Throughout this varied course, England has clung to one principle, to which may be largely attributed her success, that the training received in India is of prime importance to the aspirant for a high administrative position, and for this training no substitute is sufficient. Whether under a patronage or a merit system, it has been her consistent policy to send out men young enough to assimilate themselves easily to new duties and new conditions. The report of the commission of 1853, drafted by Lord Macaulay, marks a complete departure from the idea of training young men before going out with special reference to the conditions which they would encounter and the duties they would have to perform. Yet as this plan has proved itself the most successful of any that has been tried, it will bear closer analysis.

The report contemplates the establishment of an examination open to all subjects of Great Britain between the ages of eighteen and twenty-three. The Commission believed it desirable that university men who had received a degree should be attracted, and to this end the subjects of examination were arranged in accordance with the courses of studies which prevailed at the leading universities. The pursuit of studies which would be of little or no value in case the applicant was unsuccessful at the examination was discouraged. None of the subjects were to deal specifically with India or the duties to be performed. To quote the words of the report :

" We believe that men who have been engaged, up to one or two and twenty, in studies which have no immediate connection with the business of any profession, and of which the effect is to open, to invigorate, and to enrich the mind, will generally be found in the business of every profession, superior to men who have at eighteen or nineteen devoted themselves to the special studies of their calling."

The Commission anticipated about forty vacancies each year. The high salaries, liberal pensions and security of tenure attaching to these positions would, it was thought, secure sharp competition. There was no provision for a choice among successful candidates; on the contrary the forty—or

such number as might be required—who stood highest in the examination were to become of right probationers. With the examination the successful candidates were to be regarded as having completed their general education and were to devote a period of probation of not less than one nor more than two years to preparation for their future duties.

It was recognized that the greater part of this special knowledge could be acquired much more readily in India; and the Commission recommended that the probationer should devote his final year in England to the study of Indian history, the science of jurisprudence, commercial and financial science, and to mastering the rudiments of the Indian languages. At the end of the period of probation a second examination was to be held; competitive only in so far as it should allow the candidates, in the order of their standing, to select the place to which they wished to go.

This system, but slightly modified in detail, has now successfully stood the test of forty years' experience. Examinations are held each year in London, during the month of August, open to all natural born British subjects between the ages of twenty-one and twenty-three, not physically unfit, of good moral character, who pay the entrance fee of six pounds. The list of subjects, from which the candidate is allowed entire freedom to select those in which he wishes to be examined, includes English, Sanscrit and Arabic, Latin and Greek, modern languages, mathematics, natural science, ancient and modern history, philosophy, political economy and law. To each subject is attached a number denoting the greatest number of marks that can be obtained in it. The candidates receiving the greatest aggregate number of marks are selected for service. They are encouraged to spend their probationary year at a university. At the end of probation comes the second examination, based on the lines laid down by the Macaulay Commission. They must undergo further a physical examination and a test of their proficiency in riding.

The system of training here briefly outlined is to supply the vacancies in the administrative and judicial service only. The subordinate officials are recruited in India. It has never been the practice of England to appoint the Governor-General from the administrative service, but to select a man of large experience and proved ability in other walks of life.

Such a method of selecting colonial officials strikes one at once as peculiarly foreign to American tradition and practice; so much so, in fact, as to present an almost insurmountable barrier to its introduction here. But it should be taken into account that in going beyond our natural boundaries to annex distant territories, populated by an Eastern race, we have already made a departure from American tradition and practice, and it cannot surprise any one if for their successful government we must make an equal departure from our accustomed methods of administration.

Indeed, it is hard to see where to turn if not to English experience. The French have tried various methods of training their officials for colonial service, but, following a national trait, they have never remained consistently by one system for a long enough time for it to show its merits. Holland has made the serious blunder of training her officials exclusively with reference to their future positions and duties. A recent report of a commission appointed to inquire into the methods of training condemns this system, and recommends a free choice from among the holders of a Doctor's degree. This throws us back on the great principles underlying the English system as the only sound basis on which a colonial service can be founded.

The essential qualifications of the candidates for administrative positions in an Eastern dependency are, youth, health, and a liberal education. Equally important for a successful administration as correct method of choice are high salaries, security of tenure, and a thorough course of training in the country itself before entering upon administrative duties.

In attempting to apply these principles to America we are brought face to face with many practical difficulties. Foremost among them is the prevalence of the spoils system; but I need not stop to explain to *this* audience that to allow it to gain a foothold in our dependencies would mean failure from the start. Secondly, I would mention the deep-rooted prejudice against highly educated, especially college-educated, men. Thirdly, the jealousy with which high salaries and long tenure are regarded. To overcome these difficulties is essential to success, but the existence of these prejudices must be taken into account in attempting to devise a method of selection that shall be not merely ideal but capable of introduction.

At first sight the field does not seem to be clear for the introduction of a new system. The President has shown that he realized the difficulty of the situation by the excellent appointments he has made to the Philippine Commission. Among its first acts was a Philippine Civil Service Bill intended to cover the whole service. It follows closely the model of our national and state laws, but is more stringent than any in its classification of high positions. An excellent feature is the preference for appointment given to natives who pass the examination. Its worst provision grants a second preference to all honorably discharged soldiers of the United States without regard to the length or severity of their service. The system of employing laborers in the order in which they register may be worthy of trial, although the restraints it imposes will only be necessary in case the natives,—of whom this force should be composed—should develop an aptitude for machine politics.

If the Filipinos are capable of organizing honest and efficient local governments at once, the method of selection by means of practical examinations will suffice for filling the subordinate positions in the service of the Federal departments whose functions are extended to the islands. But if these people prove to be incapable of self-government—the contention upon which the policy of the administration rests—then there will be necessary a class of administrative officials for whose training the Philippine Civil Service Bill makes no adequate provision.

Whether they shall be actual administrators or,—in order to carry out the President's policy of granting the largest measure of self-government possible—a system of residents, with power to advise and report only, shall be established does not affect the importance of introducing an adequate system of selection and training. These positions will first be naturally and best filled by military officers; but they should be succeeded by carefully trained civilians. The Philippine bill makes no provision for their training. In ignoring entirely the necessity for a different method of selection than in the case of subordinate officers the Commissioners have failed to profit by English experience, and have left the question of how these administrative posts may best be filled still to be solved.

The introduction of the English system as it stands would necessitate the holding of yearly examinations open to all subjects of the United States between the ages of 21 and 23. As there would be but few vacancies, the examination would have to be of a very high grade, more searching than that prescribed for graduation at our universities. The age limit is set high enough to allow graduates of our colleges to compete, and this would result in their being the only ones to obtain the places. A system which would confine these desirable appointments to college graduates is out of the question in this country. Nevertheless, experience has shown that precisely this university training is the best. The obvious thing to do is to lower the standard of examination, select the candidates when younger, and provide them with the college education—or one as equally as good—afterwards.

The university training is a feature upon which great stress is laid in England and the next question that arises is whether it must be abandoned here on account of existing prejudices. If this training were not made requisite to a choice, but was entered upon by the candidates after the selection was made, it might be possible to meet these prejudices. The plan would then be for a competitive examination conducted each year by the civil service commissioners, open to all persons between the ages of 18 and 21. A few more than the number of vacancies anticipated should be selected in the order of their standing to undergo a four years' training at a university or college. They should receive a yearly allowance of about six hundred dollars contingent upon their passing the yearly examinations. They should have the right to choose which college they would attend among those that met the requirements laid down by the Civil Service Commission. These requirements should be very stringent. In order to accomplish the desired result no university or college should be admitted to the list which did not have at least one thousand students, and the commissioners should pass on the question whether the general curriculum and the opportunities for special study were sufficient. Finally, it might be necessary to apportion the selected colleges to the different sections of the country—say, three to the East, three to the middle West, two to the far West, one to the South.

Not more than a fourth of the student's time should be de-

voted to the special studies in line with his future duties. The rest should be spent in acquiring a high general education. At the end of four years they should undergo another examination by the commissioners, compulsory in the special studies, elective in the general, and, in the order of their standing, should have a right to choose among existing vacancies. They should then be sent out at once for that most important feature, the long training preparatory to assuming administrative duties, in the country which they have chosen for a life career.

Another plan has been suggested by Professor A. Lawrence Lowell, in his book on Colonial Civil Service, on which I have drawn almost exclusively for my facts. In setting forth, just at this time, within the limit of two hundred and fifty pages, a history of the experience of England, France and Holland in training colonial officials, Professor Lowell has done a great service, which is not made less by the fact that we are little likely to profit by the experience of others. He recommends the establishment of a government college, to do for the colonial service that which West Point does for the army and Annapolis for the navy. Such a college could provide the young men selected with a high general education and maintain peculiar facilities for the special training. The course of study would be practically that outlined above; three years devoted to general education, and not more than one year spent on those special subjects a knowledge of which would be of little or no value to the student if he stayed at home.

In the matter of admission to the college, Professor Lowell thinks it wise to make a concession to the politicians, and allow the apportionment of places among senators and representatives as is done in the case of West Point and Annapolis. While not the ideal system, he points out that the high standard maintained in these two schools eliminates at an early stage the poor material and prevents it from working extensive detriment to the service. But this same high standard has made the patronage of comparative little value, and, in view of this fact, it should not be difficult to introduce in connection with a new college the far more democratic system of open, competitive examination for admission. The prizes to be gained in the colonial service will be more valuable than in the army and navy, and this will mean greater interference in the organi-

zation and working of such a college if any loophole is left for patronage.

This plan of a government college sacrifices an important element in the English system,—the broadening influence of a university training among a large body of young men with widely varying interests. The *esprit du corps* and the knowledge of one another's capabilities which would be gained by uniting all the candidates together in one school, would go far toward making up the deficiency. A government college would undoubtedly encounter less of popular prejudice as less of an innovation than a plan involving a university education.

Professor Lowell sees an obstacle to the government college in the small number of students. He estimates the number of vacancies, after the system is well established, as probably not more than twenty each year. This would mean about one hundred in the school, entirely too small a number to accomplish the desired results.

Might not his suggestion that to this number should be added the candidates for eastern consulships, be enlarged by including the candidates for the entire consular service? To that service as it now exists, the main objections are the lack of general education and culture as well as ignorance of a consul's duties. A college course of three years devoted to general education and one year to special studies would go far to remedy this. The question of establishing a consular school has often been agitated in this country and doubtless, in good time, such a school will be introduced.

In order, then, to meet the future demands of the administrative service in the dependencies, I have ventured to suggest the introduction of a system by which the candidates shall be selected by competitive examination, open to all between the ages of eighteen and twenty-one; those selected to undergo a four years' training, three-fourths of which is to be devoted to general education, either at a university, or at a government college founded especially for the purpose of educating and training our future consuls and colonial officials.

The Results of Civil Service Reform in Australia.

BY HUGO R. MEYER.

THE history of the civil service in Australia interests us because it is the history of the civil service in an English-speaking community that is making the experiment of the state ownership and state management of the railways. Again, the problem of the civil service in Australia can be studied only as a part of the larger problem of the extension of the activity of the state to the inclusion of various industrial and commercial activities, such as the management of the railways, the construction of irrigation works, the lending of money to farmers, the management of state banks, and the insurance of life. The Australian civil service problem is to make the state employees submissive to the discipline and the high standards of efficiency exacted in private employment; and to keep within reasonable limits the wages and salaries paid to this body of men, who number from 10 per cent. to 12 per cent. of the adult male population in a community in which from 25 per cent. to 35 per cent. of the voters regularly fail to vote.

For reasons which I cannot take time to recount, the power of dismissal never has been seriously abused in Australia. Suffice it to say, that the expansion of the various state enterprises under the growth of population constantly called for new appointments, so that it was possible to combine the exercise of political patronage with the system of permanent tenure of office. The serious abuse of political patronage has thus been limited to the practice of obtaining for friends and supporters appointment, promotion, increase of pay, and the remission of fines and penalties imposed for breaches of discipline.

The first efforts to abolish political patronage consisted in

legislation of the familiar kind which classified the public service, fixed minimum and maximum salaries, provided for entrance into the state's service by way of examinations, and also for promotion. Such legislation also provided for emergencies and any unusual rush of business by authorizing the appointment of "temporary" employees who needed not to comply with the conditions of entrance to the service, but were not to be employed for a longer period than two years. But legislation of this kind usually remained a dead letter in consequence of the tremendous pressure brought to bear upon the Governments of the day. Victoria, for example, enacted a Civil Service Act in 1862, yet in 1883, not less than 77 per cent. of the civil servants were "temporary" employees with permanent tenure of office. These men, who had come in "over the wall," as a body, had used political influence to get their appointments, subsequent promotions, and increase of pay. They looked to their representatives in Parliament for immunity from punishment, and, in a measure, deemed themselves independent of their superior officers. Ministers not infrequently found it inexpedient to protect their officers against attacks in Parliament made by representatives acting under pressure from civil servants who had been disciplined or had been denied a favor. This so intimidated the leading officers of the Ministers, that even flagrant breaches of duty were likely not to be reported. In all these respects the experience of Victoria was typical of the experience of the Australian colonies generally.

In 1883, Victoria, confronted with an alarming increase of railway accidents, put the management of the railways into the hands of three commissioners, who were appointed for seven years and were removable only upon an address from both Houses of Parliament. At the same time, Victoria put the administration of the rest of the civil service into the hands of three other commissioners, the Public Service Board. The theory of this departure was that Parliament for the future should limit itself to indicating the general policy under which the railways were to be conducted and the civil service was to be managed. The execution of that policy was to be left to the Railway Commissioners and the Public Service Board respectively. And the duty of seeing to it that the policy indicated by Parliament was properly executed was to be left

to the Government of the day. In other words, Parliament was to abandon its past practice of encroaching on the work of the Executive by interfering—either as a body or through its individual members—in the details of the management of the railways and the administration of the civil service. New South Wales followed suit by putting the civil service “in commission” in 1884; and the railways in 1888. South Australia, Queensland, and New Zealand put the railways “in commission” in 1887 and 1888. South Australia abandoned the commission system in 1895, because the machine politicians feared that they were losing their grip on politics. In New Zealand, the trade-unions in 1893 overthrew the commissioner systems because the Railway Commissioners had frustrated the attempt to tie up the railways in the great strike of 1890. In Victoria and New South Wales, Parliament continued its interference in the details of management to such an extent as to embarrass seriously the Railway Commissioners. In Victoria, the Government instructed the Commissioners that they must not attempt to secure the efficiency or the discipline exacted in private employment; and Parliament gave them to understand that they must retain the staff as they found it, though it was excessive and contained many men who were incompetent and not submissive to discipline. The New South Wales Commissioners assumed their duties in October, 1888. To officers whom they dismissed they paid twelve months and eighteen months salary as a gratuity; and still they had to proceed so slowly that in December, 1890, there still were superior officers who were trying to block the traffic with the object of discrediting the commissioner system. In this course the officers in question had the support of certain members of Parliament. As late as 1892, the service had not yet been cleared of all incompetent men. Both in New South Wales and in Victoria, Parliament forced the Commissioners to pay the rank and file, as well as the intermediate officers, wages and salaries largely in excess of the wages and salaries paid for corresponding services in private employment. On the other hand, Parliament refused to allow the Commissioners to pay men occupying positions which called for ability of a high order such salaries as the men in question could have obtained in private employment. The labor members in Parliament are opposed on principle to the payment of high salaries, and

the opponents of the commissioner system join hands with them from a desire to embarrass the Commissioners.

The following incidents will indicate the extent to which Parliament interferes with the efficient and economical administration of the railways. In August, 1899, Sir George Turner, Premier and Treasurer of Victoria, informed Parliament that in the year just closed the railways had failed by £427,000 to earn the interest on the bonds outstanding against them—£39,000,000. But he added that private parties were ready to purchase the railways at any time for £48,800,000. A few weeks afterward, Mr. Outtrim, Minister of Railways, reminded Parliament that the increases in wages and other concessions granted to the railway staff since 1895-96 aggregated £212,000 a year. Yet in 1896, wages and salaries had been almost as high as in 1890, when they were appreciably above the rates ruling in private employment. On the other hand, the wages of skilled and unskilled labor outside of government employment had fallen from 25 per cent. to 40 per cent. since 1890, and employment was exceedingly precarious even at those reduced rates of remuneration. In October, 1889, Mr. McMillan, Treasurer and Minister of Railways in New South Wales, said in Parliament: "I will stake my reputation as a public man and shall be backed up by the leader of the Opposition, that we can sell the railways within twenty-four hours in London for £50,000,000." The railway deficit at the time was £206,000 a year on a supposed capitalization of £30,000,000.

The Public Service Boards established in Victoria in 1883 and in New South Wales in 1884 have both turned out failures. In Victoria certain heads of departments openly joined certain members of Parliament in fighting the Board; and ultimately Parliament passed an act which phrased in general terms, but was designed to force the resignation of the one member of the Board who made a determined effort to manage the affairs of the state in the same energetic fashion in which he managed his own affairs. In New South Wales the Public Service Board was rendered ineffective through the administrative rulings made by the different Governments of the day, under pressure brought to bear by the civil servants and the machine politicians.

In 1895, Mr. Reid, Premier of New South Wales, estab-

lished a new Public Service Board, which, in two years, cut down the cost of the civil service (exclusive of the railway department) by £350,000 a year—in a community of 1,200,000 people. To all men who were dismissed for incompetence, the Board paid by way of gratuity a sum equivalent to one fortnight's salary for every year of service; and to competent men, who were dismissed because there was no work for them, the Board paid one month's salary for every year of service. The Board also kept the salaries of the lowest grades of employees approximately 25 per cent. above the rate prevailing in private employment, and the salaries of superior clerks and special clerks it fixed respectively at 17½ per cent. and 12 per cent. above the rates prevailing in commercial and banking houses. And yet, in the general elections of July, 1898, Mr. Barton, the foremost man in the Australian Federation movement, denounced the Public Service Board as inhuman in its harshness, and promised the civil servants that he would undo much of Mr. Reid's work of retrenchment, if he should be made Premier. And when Mr. Barton's party came into power, in September, 1899, the Attorney-General, Mr. Wise, a graduate of Oxford University, England, and a "scholar in politics," straightway proceeded to keep the promises made by Mr. Barton and himself.

The great body of the civil servants of Australia, acting through their powerful public service associations, and aided by the labor party and the machine politicians, thus far have succeeded in maintaining themselves in a degree of comfort not attainable by men of the same ability who are not fortunate enough to be in the employ of the state. But while the state service is a haven of refuge for men of average ability and ambition, it affords no career for men of high capacity and exceptional energy. In the first place, such men are woefully underpaid. For example, a Chairman Commissioner in charge of some three thousand miles of railway, in Australia, receives from £2,500 to £3,500 a year, whereas the manager of the Melbourne Tramway Co. receives £4,000, and the managers of the large Australian banks receive from £3,000 to £5,000. Then, again, an Australian civil servant who offends either his subordinates or the politicians is liable to have Parliament reduce his salary, and is liable also to be attacked in Parliament and the newspaper press and con-

demned on an *ex parte* statement. Libelous and slanderous statements made in Parliament are of course made under the cloak of parliamentary privilege; and as to attacks made in the newspaper press, the Supreme Court of Victoria recently has laid down the doctrine: "what as a fact is untrue may be fair comment as an opinion." There would be no virtue in the plea of "fair comment," and no protection for the citizen who criticised the conduct of a public officer, if, by "fair comment" the law were to understand "right comment" or "intelligent comment" or "well informed comment."

The essential failure of the attempt made in Australia to take the civil service out of politics, was summed up as follows in 1893 by Mr. James Service, who, in 1883, as the Premier of Victoria, had introduced the system of management by commission. Said Mr. Service: "However much Parliament may endeavor by legislation to create commissions and boards that shall be independent of Parliament, such boards will be prevented often from doing the duty expected of them, and properly expected of them. They will be prevented from doing their duty, either by the intention, or by the negligence and indifference of the Parliament, or the Ministry of the day." But, if any one should incline to forget the nature of "practical politics," and should incline to be unduly severe in his judgment of the politicians, let him be reminded of the words once uttered by the late Chief Justice Higinbotham, one of the most disinterested men who ever served the people of Victoria. "Parliament has no faults and no shortcomings which are not also political faults and shortcomings of all the adult men in this community. Parliament is just what the people of Victoria have made it; and although it may not be better, it is assuredly not worse than the source from which it sprung."

It would be unfair to the civil servants not to add that in the matter of public spirit, or the lack thereof, the civil servants do not differ from the rest of the community. Organized labor, for example, constantly forces Governments to loan money for expenditure upon public works with the object of making work for skilled and unskilled labor. Again, in 1883, Sir George Dibbs, the Treasurer of New South Wales, floated a loan of £3,000,000 in London, largely for the purpose of affording relief to the Sydney money market, which was tight, in consequence of over-speculations in grazing lands. And

the politics of Victoria from 1890 to 1892 can be understood only when interpreted as an effort on the part of the Munro Government and the Shiels Government to use the state's credit for the purpose of warding off an impending financial crisis, the result of mad speculations in country and urban property.

The population of Australia consists almost entirely of emigrants from Great Britain and their descendants. And yet, Parliamentary government in Australia works as in France, rather than as in England. Party ties are loose, and Parliament tends to split up into numerous groups, formed for the purpose of securing what members of Parliament are pleased to term justice for the interests which they represent. Sir Henry Wrixon, late Attorney-General of Victoria, and one of the most judicial men in public life in Australia, has well expressed the situation in the following words: "The many functions undertaken by our Australian Governments, . . . enfeeble the position of the representative, and impair the public spirit of the constituencies. Each locality [and each class interest] naturally seeks to get as much as it can, and for that purpose wants rather an agent to look after its interests than a statesman to take care of those of the country at large. The forbearance of many constituencies toward a member whom they respect upon public grounds, and the sense of duty to the state of members of Parliament, have so far done something to mitigate the worst results of this principle. But the representative is harrassed by a divided duty. That I take to be the greatest impediment to statesmanship in our ranks; and the more socialistic Governments become, the greater is the danger that Burke's prophetic fear may be realized, and 'national representation degraded into a confused and scuffling bustle of local agency.'"

A Report on the Movement in the Women's Clubs in Aid of Civil Service Reform.

BY ELIZABETH FOSTER.

THE Woman's Federated Club Movement in aid of Civil Service Reform began in Concord, Massachusetts, a town which, in its day, has initiated more than one successful protest against powerful evils.

Last January Miss Perkins of Concord, became convinced of the latent possibilities of the nine thousand Woman's Clubs of the United States if their force could be concentrated on the cause of the merit system. She began by interesting the Concord Woman's Club, which agreed to hold a series of public meetings addressed by civil service reformers. Her next step was the publication of a circular called "A Plea for the Study of Civil Service Reform by the Woman's Clubs of America." This was widely circulated among the clubs in every section of the country and aroused great interest. The various Civil Service Reform Associations were consulted, and gave their hearty support. Individual clubs all over the United States endorsed the movement, and the Massachusetts Federation took immediate action by appointing a Civil Service Reform Committee of which Miss Perkins was made chairman.

The next attempt was to obtain a hearing for the subject at the biennial meeting of the General Federation of Woman's Clubs in Milwaukee last June. Mrs. Lowe, President of the Federation, was consulted and referred the proposition with her approval to the Programme Committee, which agreed to allot five minutes to the subject.

Correspondence was then started with the Presidents of the various State Federations to prepare the ground before the subject of Civil Service Reform should be presented in pur-

suance of this plan, at the General meeting. Many were interested and wrote approving warmly of the scheme.

After the Milwaukee meeting, the address then read before the assembled clubs was published and was even more widely circulated than Miss Perkins' first paper. In every State in the Union the daily and weekly press reprinted it in full or in part and heartily welcomed the project of uniting the organized women of the country on so broad and patriotic a movement.

The Presidents or other officials of the Federations of California, Colorado, Connecticut, Delaware, Georgia, Illinois, Indiana, Kansas, Kentucky, Maine, Maryland, Minnesota, Michigan, Missouri, Nebraska, North Dakota, Ohio, Pennsylvania, Rhode Island, Texas, Washington and Wisconsin, have since approved of Miss Perkins' plan and have assisted by bringing it before their respective clubs and by recommending and distributing civil service reform pamphlets. In eight States the question was considered by the clubs at their autumn Federation meetings.

In New York, the subject was ably presented to the Federation by Mrs. Schieffelin and Mrs. McAneny, whose admirable papers resulted in an unanimous resolution in favor of a committee to study the subject of the reform of the civil service, municipal, state and federal, and to report in what way individual clubs could best further the reform.

In Illinois, an Auxiliary Civil Service Reform Committee was appointed, which is to begin immediately to strengthen the movement to place the State charitable institutions upon a merit basis.

In Connecticut, the President, Mrs. Noble, appealed to the clubs to support the cause, and distribute literature. Although no action was taken by the Federation, at the next Board meeting the incoming President, Miss Abbott, and Mrs. Noble, who as Honorary President has a seat upon the Executive Board, intend to present the subject and will make every effort to have a Civil Service Reform Committee appointed.

In Minnesota, although the subject was included in the programme by the President, at the last moment an unexpected State matter of great importance caused the arrangements to be altered, and the question of the Merit System

was crowded out. Next year, however, the President hopes to secure some civil service reformer of national reputation who will address the Federation on the subject.

In Pennsylvania, the President writes that "many were interested, and asked for and received literature." The Honorary President of the New Hampshire Federation promises that the question of civil service reform shall be introduced at the annual meeting in May and brought before the Executive Board at an early date. From Maryland we are assured of the support of the President, who offers to distribute literature, to present the subject before the Board of Directors immediately, and before the Federation at its annual meeting in March.

The President of the District of Columbia Federation called attention to the subject in her annual address. In Georgia, the President volunteers to see that, from time to time, information is published in the Club paper, which will bring the merits of civil service reform before the women of the State.

The President of the Federation of Kentucky is one of our warmest advocates, and has given wise and able assistance. The President of the Kansas Federation has done much active work both in the clubs and through the newspapers.

In Colorado, we have many friends and co-workers. Indeed the clubs there were first in the field and have always worked zealously for the reform. The Civil Service Reform Association of that State, on whose board women as well as men are represented was not formed until two years after the reform department of the Denver Club began agitation.

The Massachusetts Federation has invited the clubs of the six New England States to attend a conference in Boston in April next, and has arranged for an evening meeting on civil service reform at which the delegates and their guests shall be addressed by eminent civil service reformers. Through the generosity of a public-spirited citizen of Boston who wishes that his name shall be withheld, the new Symphony Hall has been secured for this meeting. Mr. Charles J. Bonaparte of Baltimore has kindly consented to make an address. The Massachusetts Federation believes that in no other way could the interests of the New England clubs be so thoroughly aroused and their active co-operation be secured.

It would be impossible to enumerate the individual clubs

all over the country which have endorsed the Civil Service Reform movement, and are now taking steps towards studying its history, and planning public lectures to be delivered by prominent men on its aims. A Boston club, after hearing such an address, took a step which seems to us a model action for others to follow. It appointed a committee to keep its members informed on civil service reform matters, and directed this committee to communicate with the Civil Service Reform Association, in offering the co-operation of the club, whenever desired, in any practical action.

A plan is now under discussion for the creation of a Massachusetts Auxiliary to the Civil Service Reform Association, which will unite the women outside of the clubs, as well as the club women themselves in this movement.

We often hear it asked, What practical steps can women take to aid in the reform of the Civil Service? It seems to us that there are many ways in which active and useful work can be done, but, necessarily, these must differ in the various sections of the country. In Massachusetts several plans have been proposed which may serve as an indication of the kind of work that may easily be undertaken. In two manufacturing towns public meetings are planned under the auspices of the clubs, to which the Mayor and chief officials, the principal clergymen of all denominations, prominent citizens and the graduating class of the High School will be invited to hear addresses on civil service reform. In other places it is proposed to interest boy's clubs and to distribute suitable literature, such as the "Citizen's Manual," and other simple pamphlets. The same course will be pursued in Working Girl's Clubs. In one normal school the Amherst report of the Woman's movement will be distributed among the pupils.

Last summer sixty public libraries permitted the publications of the United States Civil Service Commission to lie on their tables for months; if appealed to by women many other libraries would undoubtedly follow this course.

The prize competition offered by the New York Auxiliary to members of woman's clubs for the best essay on civil service reform, has stimulated interest in the subject, while the admirable Bibliography, published by this Auxiliary may well serve as the best guide to the serious study of a question so vital to the higher interests of the nation.

To clubs inquiring for a scheme of work, a course of six elementary papers is suggested, each of which could easily be prepared through study of the books recommended to the Bibliography. Such a course should pursue some such outline as the following :

- (1) The Aim of the Civil Service Reform Movement.
- (2) The History of the Reform in England.
- (3) The History of the Reform in America.
- (4) Present State of the Reform in America with local illustrations.
- (5) The Colonial Civil Services of England, France and Holland.
- (6) The Needs and Prospects of the Civil Service in the Dependencies of the United States.

This plan might be amplified and extended according to the time and interest of the clubs undertaking such study, and should always, when possible, be illustrated and made vivid by the consideration of local conditions.

Many a woman who is bored and indifferent when general causes and principles are set before her, is aroused to instant interest and action when she learns of some abuse of the appointing power affecting school, charitable institution or prison in her own town or village.

In interesting individual clubs and Federations it is necessary to emphasize one fact in particular—that from the beginning of this movement we have been fortunate enough to receive the cordial support of the Civil Service Commission in Washington, the National Civil Service Reform League and the state associations. These organizations have helped us in every possible way. This has been of the utmost assistance to those who have attempted to do pioneer work, and it is, we believe, the best guarantee of the future success of the movement that this same corporation should be continued. To this end it has been everywhere suggested that no important step should be taken without consultation with one or other of these organizations. It may be said, generally, that in arousing the woman's clubs to the support and extension of the merit system, advantage is taken of an organized body of women trained to work together, and fully conscious of the importance of subordinating the individual to the organization. During the years that the clubs have worked and studied together, trivial

as many of their objects have doubtless been, they have yet enforced upon the minds of club-women the value of system and cohesion. In club-life the first step has usually been purely social, the next self-culture; but out of that has come the attempt to better social conditions in town and village, and to enter more intelligently into municipal questions. From "Village Improvement Societies," "Vacation Schools," "Manual Training Classes," "Social Settlements," "Consumer's Leagues," and "Arts and Crafts" Committees, they have acquired practical knowledge of the necessity of organization and concentration. Slowly but steadily they have learned the duties and privileges of the higher citizenship. They have joined the ranks of those who as Dante says: "*Discernesse della vera cittade almen la torre*,"—who recognize afar off the heights to which the true city some day must rise.

We believe that this body of women so trained and so informed is now ready for a national movement. We find a vast federated system with ramifications throughout the country trained to co-operation, with earnest convictions and ideals. If this force can be induced to concentrate its energies on civil service reform it is easy to see how far reaching its influence may be and how great its educational possibilities. Can it be so utilized? That is the question.

There has never been a time in our history when in every section of the country women have been more earnestly considering the moral responsibilities of the nation. Everywhere interest in political conditions has been stimulated by the colonial problems of the United States. Women are asking themselves what will be the future of the differing nationalities whose guidance we have so lightly undertaken; what will safeguard their liberties; what will guarantee their protection and development?

These questions are leading women to study for themselves the history of the great colonizing nations. They are forming their own opinions as to the theories of Government which underlie and determine the prosperity of English colonies and the inevitable decadence of those founded by France. They see plainly how large a factor in these results is the superior quality of the English colonial civil service, where merit is the sole criterion and character and intelligence the only passports to promotion. They recognize of what paramount im-

portance the selection of the Philippine civil service is considered by the wisest of those who advocate the retention of the Islands.

Earnest women throughout the country are considering these matters. They are turning them over in their minds; and when they read the comprehensive laws prepared by the Philippine Commission to regulate the Philippine civil service, they ask themselves what guarantee is there that these carefully prepared laws will ever be enforced.

Seeking the reason of this doubt, which pervades so many minds, they discover that the root of the evil lies not in the Government, not even in the politicians, but in the general indifference of the public. Are we not all responsible to a greater or less degree? Surely it is our sloth and indifference which alone permits the politicians to betray us and to follow out their selfish ends; our apathy which allows them to evade existing laws and prevent the enactment of better ones. What is it but our lack of cohesion which enables them to band together in an almost irresistible force? Certainly it is our stupidity which allows rival bosses to play into each others hands, and to cheat the nation, the state, the city and the citizen of that intelligence and fitting service for which we are taxed and which it is our duty to require.

We all know the remedy for these evils—and the only remedy—an educated public opinion and an aroused national conscience. Can women do nothing to further this? We believe that there is no work for which they are better fitted. The organized system of woman's clubs is a perfect instrument to further such ends. The preliminary step must be, however, a campaign of education in the clubs themselves; this is being rigorously carried on. Women must be convinced that it is their privilege as well as their duty to enter more seriously into the national life. They must learn how poor and shallow are the excuses of those who stand aside from a moral question, because it is connected with politics, and therefore against their principles; or of those who refuse to aid such a cause because, believing in woman's suffrage, they despise all means of influence except the ballot box.

The merit system is not in any true sense a question of partisan politics; it goes far deeper and concerns the moral life of the nation. It should unite all those of every political

creed who love their country, and desire to see her standing among the nations as she should stand, the exponent of the ideal. A country founded upon an ideal, risking her future on the fight for an ideal, should no longer bear the yoke of the spoils system within her borders. When we ask women to support the cause of civil service reform, we ask them to support the cause of honesty, efficiency, economy and national dignity, and to aid in the struggle against the forces of selfishness, greed, ignorance and waste. Surely women ought not to hesitate on which side to throw their influence.

CONSTITUTION

OF THE

National Civil-Service Reform League.

[REVISED DECEMBER 13, 1900.]

ARTICLE I.

The name of this organization shall be the National Civil Service Reform League.

ARTICLE II.

The object of the Civil Service Reform League shall be to promote the purposes and to facilitate the correspondence and united action of the Civil Service Reform Associations, and generally to advance the cause of Civil Service Reform in the United States.

ARTICLE III.

The League shall consist of all the Civil Service Reform Associations in the United States which signify their willingness to become members thereof. Any such association hereafter expressing such willingness shall become a member of the League upon its being accepted as such by the League or the Council. Any member of any such association, and any individual specially invited by the Council, may be present at any meeting of the League and take part in the debates or discussions subject to such restrictions, if any, as the By-Laws may prescribe. The Council may in its discretion invite representatives of any other Society or organization to take part in any designated meeting of the League.

With the approval of the Council the Secretary may organize Correspondence Committees, of not less than three

members, for the promotion of the work of the League in localities where there is no Civil Service Reform Association; the members of such Committees shall have the same status at the meetings of the League as the members of a Civil Service Reform Association.

ARTICLE IV.

At any meeting of the League all questions shall be decided by a majority vote of the individuals present and entitled to take part in the proceedings, unless a majority of the representatives of any association shall demand a vote by associations, in which case each association represented shall be entitled to one vote, which vote shall be cast by the delegates from such association present at such meeting or by a majority of them.

ARTICLE V.

The officers of the League shall be a President, a Secretary, and an Assistant-Secretary, and a Treasurer, who shall discharge the usual duties of such officers, and not less than ten Vice-Presidents; and there shall be a Council, to be constituted as hereinafter provided. The said officers and Council shall hold office until their respective successors are chosen.

ARTICLE VI.

The President and Vice-Presidents shall be elected by ballot at the Annual Meeting of the League.

The Secretary, Assistant-Secretary and Treasurer shall be chosen, and may be removed by the Council.

The Council shall be elected by the League at the annual meeting, and shall consist of at least thirty members, of whom there shall be at least one member from each Association belonging to the League. Ten members of the Council shall be a quorum.

The officers of the League, except the Vice-Presidents, shall be *ex-officio* members of the Council, and either the League or the Council itself may from time to time elect additional members to hold office until the annual meeting next following. Any member of the Council may act by proxy.

The Council shall elect its own chairman. It shall keep a record of its own proceedings and shall make a report to the League at the annual meeting. A vacancy in any office ex-

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cept that of Vice-President may be filled by the Council until the annual meeting next following.

ARTICLE VII.

The Council may, subject to these articles, manage the affairs of the League, direct and dispose of the funds and, from time to time, make and modify By-Laws for the League and for its own action.

No debt shall be contracted by the League or by the Council beyond the amount in the hands of the Treasurer.

ARTICLE VIII.

There shall be an Annual Meeting of the League at such time in each year, and at such place as the council may determine, at which officers shall be elected for the ensuing year, and other appropriate business may be transacted.

A special meeting of the League may be called at the discretion of the Council, or of the President, at any time, upon at least ten days' notice to be given by the Secretary.

ARTICLE IX.

Any provision of this Constitution may be suspended or amended by a vote of two-thirds of the members, or of the Associations, if a vote by Associations be demanded, present at a meeting of the League, due notice of such proposed suspension or amendment having been given at a previous meeting of the League, or of the Council.



PROCEEDINGS

AT THE ANNUAL MEETING OF

THE NATIONAL CIVIL-SERVICE REFORM LEAGUE

HELD AT

BOSTON, MASS., DEC. 12 AND 13, 1901.

WITH THE REPORTS AND PAPERS READ

AND OTHER MATTERS.

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ANNUAL MEETING
OF THE
NATIONAL CIVIL SERVICE REFORM LEAGUE.

DECEMBER 12 AND 13, 1901.

PURSUANT to call, duly issued, the twenty-first annual meeting of the National Civil Service Reform League was held at Boston, Mass., on the 12th and 13th of December, 1901. The delegates in attendance during the several sessions were the following:

BALTIMORE: Charles J. Bonaparte, Daniel C. Gilman, George Frame, Ira Remsen, H. Barton Jacobs, J. H. Hollander, Theodore Marburg, George A. Pope, Reuben Foster, Luther T. Townsend, William T. Brigham.

BOSTON: William T. Sedgwick, W. W. Vaughan, Moorfield Storey, Thomas Wentworth Higginson, Jacob L. Williams, Charles S. Thurston, Sinclair Kennedy, H. W. Chaplin, Henry S. Pritchett, Henry H. Sprague, A. H. Wellman, F. J. Stimson, Robert Treat Paine, H. P. Bowditch, William Endicott, Charles S. Hamlin, Henry Parkman, William Simes, Eben S. Draper, Arthur T. Lyman, Robert T. Paine, Jr., Rt. Rev. William Lawrence, Charles R. Codman, Arthur H. Brooks, A. Lawrence Lowell, Wm. Endicott, Jr., W. V. Kellen, James Ford Rhodes, E. L. Sprague, Charles W. Clifford.

BUFFALO: Frederic Almy, A. C. Richardson, John B. Olmstead.

CAMBRIDGE: Richard Henry Dana, Morrill Wyman, Jr., John Read, Archibald M. Howe, Charles Eliot Norton, J. G. Thorp, J. J. Myers, G. V. Leverett, James Barr Ames, J. B. Warner, Elliot H. Goodwin.

CHICAGO: John W. Ela, Merritt Starr.

GENEVA, N. Y.: Henry W. Nelson.

HARTFORD, CONN.: Louis R. Cheney.

INDIANA: William Dudley Foulke, Stanley C. Hughes, Henry J. Milligan.

NEW HAVEN: Henry W. Farnam.

NEW YORK: Carl Schurz, Silas W. Burt, Everett P. Wheeler, Richard Watson Gilder, L. T. Chamberlain, Frederick Crane, H. A. Rogers, William Brookfield, Payson Merrill, Frank E. Anderson, Lynds E. Jones, Clarence R. Conger, J. Howard Cowperthwait, William G. Low, Arthur H. Scribner, Calvin H. Allen, J. A. McKim, William Potts, Charles Collins, George Foster Peabody, Frank L. Babbott, H. Langford Warren, S. F. Emmons, Lyman Abbott, Charles W. Watson, Henry L. Hobart, Samuel P. Avery, George McAneny.

WOMEN'S AUXILIARY OF NEW YORK: Mrs. C. R. Lowell, Miss Lowell, Miss Schurz, Mrs. W. H. Schieffelin, Miss Schieffelin, Mrs. S. H. Loines, Mrs. Percival Knauth, Mrs. Everett P. Wheeler.

WOMEN'S AUXILIARY OF MASSACHUSETTS: Mrs. Henry Whitman, Miss Perkins, Mrs. Charles W. Eliot, Mrs. J. Montgomery Sears, Miss Foster, Mrs. Henry M. Whitney, Mrs. William Endicott, Jr., Mrs. William T. Sedgwick, Mrs. Barrett Wendell, Miss A. A. Bigelow, Miss Mary Coes, Miss Katharine Cowan, Miss Irwin, Miss Margaret Norton, Mrs. H. H. Sprague, Mrs. Moorfield Storey.

NORWICH, CONN.: William A. Aiken.

PHILADELPHIA: Herbert Welsh, L. J. Lauterbach, J. Mac Allister, Charles Richardson, George Burnham, Jr., Leverett Bradley, W. H. Pfahler, Porter F. Cope, R. Francis Wood, Stuart Wood, John B. Roberts, Clinton Rogers Woodruff, Horace J. Smith, Theodore Etting, F. W. Morris, Charles Chauncey, A. R. Montgomery.

WASHINGTON, D. C.: John R. Procter, F. L. Siddons, S. W. Woodward, John Joy Edson, Adolf G. Wolf.

In response to invitations issued by the League to Municipal Reform organizations, and to other bodies having the reform of the civil service among their objects, delegates were present from a number of such organizations, as follows:

ARUNDEL GOOD GOVERNMENT CLUB OF BALTIMORE: Mrs. George Huntingdon Williams.

CHAMBER OF COMMERCE OF CLEVELAND, OHIO: Harry A. Garfield.

CIVIC CLUB OF PHILADELPHIA: Mrs. I. M. Oakley, Mrs. George Burnham, Jr., Mrs. Charles Richardson, Mrs. C. R. Woodruff.

CIVIC CLUB, HARTFORD: Mrs. Appleton R. Hillyer, Miss Annie R. Trumbull.

CIVIC SERVICE HOUSE, BOSTON: Meyer Bloomfield.

LIBRARY HALL ASSOCIATION OF CAMBRIDGE: Richard Henry Dana, Samuel Usher.

MASSACHUSETTS REFORM CLUB: Winslow Warren, A. M. Howe, C. H. Fiske, Jr.

MASSACHUSETTS STATE FEDERATION OF WOMEN'S CLUBS: Mrs. May Alden Ward.

CONNECTICUT STATE FEDERATION OF WOMEN'S CLUBS: Miss Rebecca D. Beach, Mrs. H. W. Gerard.

MAYOR'S ASSOCIATION OF CONNECTICUT: Cyrus C. Beckwith.

MERCHANTS' ASSOCIATION OF NEW YORK: William R. Corwine.

MUNICIPAL LEAGUE OF PHILADELPHIA: George Burnham, Jr., Charles Richardson, Clinton Rogers Woodruff, Stuart Wood, L. J. Lautenbach.

MUNICIPAL LEAGUE OF PROVIDENCE: Thomas W. Bicknell, John C. Pegrem, Amasa M. Eaton, Charles Sisson, William H. Spencer.

MUNICIPAL LEAGUE OF MELROSE: Henry Brown, Charles C. Barry, Charles E. Schaedel.

TWENTIETH CENTURY CLUB, BOSTON: Edward H. Chandler, Charles H. Adams, Prescott F. Hall, Robert Treat Paine, Jr.

WOMEN'S HEALTH PROTECTIVE ASSOCIATION, BROOKLYN, N. Y.: Mrs. James Scrimgeour, Mrs. Jere Johnson, Jr.

HEALTH PROTECTIVE ASSOCIATION OF PHILADELPHIA: Mrs. M. B. Mallon.

MEETINGS OF THE LEAGUE.

THE headquarters of the League during the period of the meeting were at the Hotel Somerset on Commonwealth Avenue. The hours from 9.30 to 11.30 on the morning of the 12th were occupied by a meeting of the Council. The proceedings at the several general sessions of the League, commencing on the morning of the 12th, were as follows:

FIRST SESSION.

HOTEL SOMERSET,
THURSDAY MORNING, DECEMBER 12.

THE League convened at 11.30 o'clock, a. m., the President, Dr. Daniel C. Gilman, in the chair.

The minutes of the last annual meeting having been printed and distributed, the reading of the same was, on motion, omitted.

The annual report of the Council was presented and read by Charles J. Bonaparte, of Maryland, Chairman of the Council. It was moved that the report be accepted, and that it be printed with the proceedings of the meeting, and the motion was carried.*

The report of the Committee on the Civil Service in Dependencies, was presented and read by the chairman of that Committee, Clinton Rogers Woodruff of Philadelphia. It was moved that the report be accepted and referred to the Council to be selected by the League at its session of tomorrow, for such action as, in its judgment, may be necessary; and the motion was carried.†

The report of the Committee on Superannuation was presented and read by the chairman of that Committee, Richard

* Printed in full at page 29.

† Printed in full at page 33.

Henry Dana of Boston. On motion this also was accepted and referred to the Council for such action as, in its judgment, may be necessary.*

The Secretary, for the Committee on Legislation, made a verbal report with reference to measures now pending in Congress. He stated that the file of bills introduced at the opening of the session had been carefully examined; that all those relating in any way to the organization of the civil service had been set aside for the Committee's consideration, and that the Committee expected to propose to the League whatever action concerning each might in future prove necessary. He mentioned in particular the following measures:

(1) A bill extending the preference in competitive appointments to disabled veterans, over civilians, to all veterans of the Civil War, without regard to personal necessities resulting from disability. This measure, which is similar to the bill originating in the Senate at the last session and defeated then, largely through the opposition of the League, had been presented in the House by Representative Grosvenor of Ohio;

(2) The bills to reorganize the Consular Service, substantially similar to those pending at the last session, which have been reintroduced in the Senate and House by Mr. Lodge and Mr. Adams respectively; the bill of Senator Lodge, however, containing some important amendments suggested by the conference of commercial bodies organized during the summer at Buffalo;

(3) The various bills providing for the retirement of superannuated employees. The latter would be referred for consideration to the League's special committee on Superannuation.

The Secretary, on behalf of the Committee on Legislation, also called attention to the proposed introduction of a bill to transfer to the classified service the 2,500 clerks still remaining on the rolls of the Census office, who were appointed on the nomination of members of Congress, after pass examinations. To render these clerks eligible to appointment in the classified service, without further examination, would exclude virtually all appointments from the clerical lists of the Civil Service Commission for possibly two or three years, and would

* Printed in full at page 40.

nullify the Commission's work to that degree. The Committee proposed to adopt every practicable means to oppose such a bill if it be introduced*. On motion the report was received.

The order of miscellaneous business having been reached, Mr. Richardson of Buffalo asked what progress had been made toward securing a construction of the Federal civil service law as to the legality or propriety of payments of salary to persons appointed to positions in the classified service without compliance with the provisions of the rules—a matter considered at the last previous annual meeting of the League. The Secretary stated that, while the Law Committee had been considering this subject during the year, a most satisfactory solution had been reported from Washington within the past two or three days, President Roosevelt having issued an executive order forbidding fiscal officers to pay the salaries of any persons whose appointment has been shown to be irregular, and amending the rules in other important respects.

These he outlined as follows:

I.—That Government officers and employees shall give sworn testimony before the Commission when required to do so in connection with its investigations;

II.—That where an appointing officer declines to make regular appointment from a register containing less than three names and insists upon making a temporary appointment, the temporary appointment shall be made from such register;

III.—That whenever the Commission shall find that any person is holding a position in the civil service in violation of the civil service act and rules, it shall, after notice to the person affected, certify to the head of the proper department information of the violation, and if such person be not then dismissed within thirty days, the Commission shall give notice of the fact to the proper disbursing and auditing officers, who shall not then permit to be paid to such person any salary or wages accruing after the receipt of such notice; provided that any question of law which may thus be raised respecting the power to appoint or employ may be submitted by the

*The effect of the passage of legislation of this character, and of the passage of the preference bill, is explained in more detail in the remarks of Mr. Foulke, printed on page 49.

President or head of department to the Attorney General for opinion.

IV.—That no person shall be transferred from one classified position to another unless such person actually served for six months in the office in which he became classified, or in some position therein which at the time of the request for his transfer is within the competitive classified service.

At the suggestion of the Secretary, Mr. Foulke, of the U. S. Civil Service Commission, explained the effect of the fourth amendment in detail, showing that it would prevent in future the practice of appointing postal clerks without examination, by sending them to small local post-offices immediately in advance of the classification of such offices, and transferring them afterward to competitive offices in larger post offices, or in the departments at Washington.

Mr. Everett P. Wheeler of New York then read a paper entitled "How to Specialize Civil Service Examinations Most Effectively".* Some discussion followed, in the course of which it was stated by Col. Ela of the Chicago Civil Service Commission, Mr. Potts of New York, and others, that their experience had led them to believe that, so far as practicable, examinations should be held for classes of positions rather than for individual positions, and that the employment of special examinations should be confined, as far as practicable, to those positions of peculiar character—professional, scientific and otherwise—that are not classifiable in grades, and the qualifications for which must be ascertained with reference to the peculiar duties to be performed.

The Secretary then read a paper written by Mr. Edward Cary of New York, who was unable himself to be present, on "The Standard of Merit in the Higher Offices".†

The order of reports from local Associations having been reached, the President called upon Mr. Charles J. Bonaparte, of Baltimore, to report for Maryland:

Mr. Bonaparte reported that, while there had been plenty of work in a general way for reformers in that State during the past year, the Civil Service Reform Association had not been particularly active. The hopes entertained at one time that the Merit System would be applied

* Page 58.

† Page 63.

in appointments to the Baltimore police force had been completely disappointed, largely through an unexpected construction placed upon the law relating to the subject by the Court of Appeals of Maryland. The statute provided that the Board of Police Examiners should "nominate" to the Police Commissioners candidates for appointment or promotion "in the order in which the names of the nominees" appeared upon graded lists, as determined by "open competitive examinations." It had been supposed by everybody at the time the law was enacted that this required the Examiners to nominate the person highest on the list to fill each vacancy as it occurred, and, if he were not appointed, then the second, and so on until a candidate was found acceptable to the Commissioners; but the Court of Appeals had decided that the Examiners might "nominate" as many candidates as they chose for each vacancy, and taking advantage of this construction they had nominated the entire eligible list for every place, thus reducing the test of fitness to that afforded by a mere pass examination. Mr. Bonaparte said it was generally believed that the wishes of a well known politician in Baltimore, at one time the recognized "Boss" of the city, had a great deal to do with all appointments and promotions in the police force.

He said that there had been, on the whole, a more satisfactory experience with the Fire Department in the same city, as the ordinance introducing the Merit System required all vacancies to be filled by the appointment of one among the three standing highest on the list, and prevented the payment of salaries to those illegally appointed, which last provision the speaker thought had alone prevented complete disregard of the law on the part of the Fire Commissioners, a majority of whom seemed to be thoroughly hostile to its principles. In proof of this hostility, they had for a long time made it a practice never to appoint the persons standing highest on the list of eligibles, so that it was practically a disqualification to have passed the best examination. On one occasion, he added, the man thus certified as the first and passed over had been recently commended for an act of exceptional bravery, and, as his rejection under these circumstances caused some newspaper criticism of the Commissioners, they investigated his conduct anew, and decided that he had not been really entitled to the distinction previously conferred. The practical result of the past year's experience in Maryland was, in Mr. Bonaparte's opinion, that there was plenty of work left for the Civil Service Reform Association, and for other local reform bodies, and would be for a long time.

At the conclusion of Mr. Bonaparte's remarks it was moved that the continuance of the order of reports from local Associations be postponed until the morning session of the 13th, and the motion was carried. The session then adjourned.

SECOND SESSION.

MEMORIAL HALL.

THURSDAY AFTERNOON, DECEMBER 12.

AT 3.30 o'clock, on the 12th, a public meeting was held at Memorial Hall, Cambridge, to which the students of Harvard University were especially invited. President Eliot presided, and addresses were made by Hon. Carl Schurz,* Dr. Daniel C. Gilman, Hon. Wm. Dudley Foulke and others. The meeting was followed by a reception to the delegates and ladies accompanying them, given by the Cambridge and Harvard Associations, in the ladies' room of the Harvard Union.

THIRD SESSION.

CHICKERING HALL,

THURSDAY EVENING, DECEMBER 12.

AT 8 o'clock, on the evening of the 12th, a public meeting was held under the auspices of the Massachusetts Civil Service Reform Association, at Chickering Hall, Boston. Mr. William T. Sedgwick, President of the Massachusetts Association presided, and addresses were made by Dr. Daniel C. Gilman, President of the League;† Hon. Wm. Dudley Foulke‡ and Charles J. Bonaparte, of Maryland. The meeting was followed by an informal reception to delegates and others, tendered by the St. Botolph Club, at its club house, No. 2 Newbury Street.

FOURTH SESSION.

HOTEL SOMERSET.

FRIDAY MORNING, DECEMBER 13.

THE League reconvened at 10 A. M., the President in the chair.

The chairman referred to the absence of Mr. W. W. Vaughan, chairman of the Committee of the Massachusetts

*Page 53.

†Page 41.

‡Page 49.

Association, charged with the arrangements for this meeting, because of the death of a near relative. He spoke in terms of warm appreciation of Mr. Vaughan's services, and expressed the sympathy of the League in his present bereavement. It was moved that the Secretary be instructed to communicate to Mr. Vaughan an expression of these sentiments on behalf of the League, and the motion was carried unanimously.

The chairman announced the first business in order to be the election of officers for the ensuing year.

Gen. Aiken, for the Committee on Nominations, placed in nomination the following ticket:

FOR PRESIDENT :

Daniel Colt Gilman, Maryland.

FOR VICE-PRESIDENTS :

Charles Francis Adams,	. . . . .	Boston.
Joseph H. Choate,	. . . . .	New York.
Grover Cleveland,	. . . . .	Princeton.
Charles W. Eliot,	. . . . .	Cambridge.
Henry Hitchcock,	. . . . .	St. Louis.
Henry Charles Lea,	. . . . .	Philadelphia.
Seth Low,	. . . . .	New York.
Franklin MacVeagh,	. . . . .	Chicago.
Henry C. Potter, D. D.,	. . . . .	New York.
F. J. Ryan, D. D.,	. . . . .	Philadelphia.

FOR MEMBERS OF THE COUNCIL :

Moorfield Storey,	. . . . .	Boston.
W. W. Vaughan,	. . . . .	"
Richard Henry Dana,	. . . . .	Cambridge.
Morrill Wyman, Jr.,	. . . . .	"
William A. Aiken,	. . . . .	Norwich, Ct.
Silas W. Burt,	. . . . .	New York.
Charles Collins,	. . . . .	"
Richard Watson Gilder,	. . . . .	"
George McAneny,	. . . . .	"
Samuel H. Ordway,	. . . . .	"
William Potts,	. . . . .	"
Carl Schurz,	. . . . .	"
Everett P. Wheeler,	. . . . .	"
Edward Cary,	. . . . .	Brooklyn.
William G. Low,	. . . . .	"
Edward M. Shepard,	. . . . .	"
Henry A. Richmond,	. . . . .	Buffalo.
Charles Richardson,	. . . . .	Philadelphia.
Herbert Welsh,	. . . . .	"
R. Francis Wood,	. . . . .	"
Clinton Rogers Woodruff,	. . . . .	"

Charles J. Bonaparte,	Baltimore.
George A. Pope,	"
Dr. H. O. Reik,	"
John Joy Edson,	Washington.
F. L. Siddons,	"
Charles B. Wilby,	Cincinnati.
Lucius B. Swift,	Indianapolis.
Henry W. Farnam,	New Haven.
John W. Ela,	Chicago.
Henry Hitchcock,	St. Louis.
Henry Van Kleeck,	Denver.

Mr. Potts moved that the Secretary be directed to cast one ballot for the election of the gentlemen nominated for President, Vice-Presidents and members of the Council, respectively, and the motion was carried unanimously. The Secretary cast the ballot, and the chairman announced the election of the ticket as read. The order of reports from local Associations was then resumed, and reports were submitted as follows:

Mr. Frederick Almy, for the Buffalo Association :

The Buffalo Civil Service Reform Association was organized in June, 1887, and is therefore over twenty years of age. From its organization Sherman S. Rogers was President until his death a year ago. The loss to our association is a heavy one, for Mr. Rogers not only made time for home affairs, but would go to Washington when necessary on national matters concerning civil service reform. Our new president, Mr. Ansley Wilcox, is not at this conference because he is now in Washington, where he goes to represent the Buffalo Board of Trade in regard to the consular civil service. It is of interest to state that President Roosevelt was sworn in as President of the United States in Mr. Wilcox's library in Buffalo, a room already saturated, so to speak, with civil service reform, for it is in this room that our executive committee holds its stated monthly meetings. These stated monthly meetings are the chief cause of whatever successes we can claim in Buffalo. I think they have been held for twenty years, and I know that they have been so held during the fourteen years of my secretaryship. To wait for some special occasion and then call a meeting means that inertia must be overcome, and inertia is not always overcome. Meeting monthly we are always ready and looking for work to do. We might be said to keep in a state of pernicious activity. The meetings are held in the evening, formerly at Mr. Rogers' house or Mr. Richmond's, and now at Mr. Wilcox's, and are to some extent social. It is not uncommon for twelve or fifteen of our twenty-one members to attend, although all are busy men, and although Buffalo is so overburdened with meetings that some one here expressed the prayer that in Heaven there might be no more meetings as well as no more partings. Our chief successes in the

past are two cases successfully carried to the Court of Appeals and the winning of the labor unions through a series of meetings. Our last success is the classification of the Erie County offices, after a long struggle. Our present effort is for the reorganization of the Municipal Civil Service Commission, which is now a cumbersome body of fifteen unpaid commissioners, without any sufficient appropriation for competent paid service. We hope to have an unpaid commission of five, with a larger appropriation for salaried examiners and clerks, and I understand that the new Mayor will recommend this in his message. Our message from Buffalo, so far as we have any, is that the best and surest road to success is by keeping everlastingly at it, with regular stated meetings.

Prof. Henry W. Farnam, for the New Haven Association :

The New Haven Association is the Rip Van Winkle of the League. It has just awakened from a sleep of nearly eleven years, and it is glad to find that all of the old faces are not yet gone. Though we miss Mr. Curtis, there are still here Mr. Schurz, Dr. Gilman, Mr. Potts, and Mr. Bonaparte, and it is especially pleasant to us to find that in spite of our long sleep, we are welcomed back to life again.

The New Haven Association was formed in 1881 and took part in the agitation for the passage of the Pendleton Bill, as well as for improvements in local matters. It directed the attention of the Post Office authorities to the fact that the number of employees in the New Haven office was sufficient to entitle it to be placed under the rules ; it watched the examination, and made several investigations into the observance of the rules in the Post Office. It also agitated for the consolidation of city and town governments and for the introduction of the merit system into local affairs, and though for the time-being its efforts were futile, the seed which it sowed bore fruit in the Charter of 1897, which consolidated city and town and introduced a Civil Service Commission for the city of New Haven, the first one in the State of Connecticut. The speaker was made chairman of the first Commission.

As was the case with other associations, our members lost some of their earlier interest. As the success of the movement became more evident, it became more and more difficult to secure attendance at the meetings, and no meeting of the Association has been held since December, 1890. Plans have, however, recently been made to revive it. The Executive Committee have called a meeting for December 17th. We have sent out circulars inviting people to join, and have been gratified by already having between seventy and eighty responses. It is planned to enlarge the scope of the Association so as to include all Connecticut, and thus furnish an organization open to the friends of the merit system throughout the State.

Mr. F. L. Siddons, for the Association of the District of Columbia :

Mr. Siddons said that Mr. Bonaparte had afforded him an excellent characterization of the condition of the District Association when, in

reporting on behalf of the Maryland Association, he said that it had been living of late a "tranquil life," and Mr. Bonaparte had also afforded him an explanation as to why the same was true of the District Association. This explanation was the demoralizing influence of propinquity; Baltimore, the home of the Maryland Association, being so very near to Washington.

Seriously, however, the District Association has reason to congratulate itself, as does the League, in the important fact that President Roosevelt, in his recent annual message to Congress, recommended that the provisions of the Civil Service Law be extended so far as to include the municipal government of the District. Legislation of this character, the local association had been endeavoring to secure ever since its organization, and it has had in this effort the earnest support of the Board of Commissioners for the District, as well as the Board of Trade, and other reform organizations. In addition, the officers of the District Association had been of some assistance to the officials of the League, in matters pending before Congress, as for instance, in the case of the Veterans' Preference Bill, consideration of which by the Senate, at least, the Association had been enabled to prevent at the last session of the last Congress, and the Association felt, as did all civil service reformers, that it had every reason to feel very hopeful regarding the progress of the movement, and that at the next annual meeting it was hoped that a still more favorable report would be made to the League by the attending representatives of the local association.

Mr. H. J. Milligan, for the Indiana Association :

The Association in Indiana has been doing some good work in the past year. In March, last, a committee was appointed to investigate certain alleged abuses in the Indianapolis post-office. While these were not violations of the letter of the civil service law, they were violations certainly of the spirit of the law, in this—as was shown by the report of the Investigating Committee—that certain "places" had been made for dependents of Congressmen and Senators, where the public service did not demand the services of the persons appointed. In one notable instance a place was made and a new office created in the post-office where the postmaster did not ask for the place to be made, where the appointee was capable of discharging very few duties, and where he really had little or nothing to do. But, so far as we are able to learn, the civil service law has, as it stands, been very faithfully observed in Indiana by the Federal officers.

We have in Indiana no State civil service law. Our State institutions, however, have been managed for several years on a non-partisan plan to the great advantage of the service. In the city and county government we are wallowing in the mire of favoritism and bossism; but the example of the Federal civil service law, before a great while, I am sure, will lead to the adoption by the State of the merit system, and we are moving, slowly perhaps, but surely, to that end.

Mr. George McAneny, for the New York Association :

Since the passage of the State civil service act of April 19, 1899, both New York State and city have had an admirable set of civil service rules. In the city, for fifteen months prior to that date and under the virtually unrestricted control of the Tammany administration, the rules had been very imperfect, and many hundreds of appointments had been made without examination through the methods that they allowed. Under the revised code, which in the case of the city was promulgated on July 11, 1899, while the improvement has been very marked, some opportunities for evasion have still remained. With almost every officer of the city government bent on defeating the purposes of the law, by all practicable means, this is perhaps not surprising, but I should say that the genuine operation of the merit system has gone at least "half way," and possibly more than half.

Incidentally, the results of the evasions of the rules in some of our more prominent departments, have offered some striking instances of the necessity of civil service reform. I will mention, by way of example, three departments, those of Police, Street Cleaning, and Public Health.

In the Police Department the promotion examinations were so arranged that 75 per cent. of the rating of candidates was fixed by the Board of Police Commissioners themselves for the "record" of the men, leaving 25 per cent. only for the written examination, with reference to their knowledge of laws and ordinances, rules and regulations, their capacity for making reports, etc., etc. The Civil Service Reform Association discovered that in such important examinations as those for promotion from sergeant to captain, and from roundsman to sergeant, these ratings were fixed arbitrarily by the Police Board, without reference to the actual merit of the men, and for the purpose clearly of placing them in such positions upon the eligible list that they might be at once reached for appointment. At the request of the Association a formal investigation was held by the State Civil Service Commission, as the result of which these examinations were officially discredited. The eligible lists were set aside, suits were commenced to oust the nineteen persons already appointed as captains, and the rules were so amended that in the future the examination will be based wholly upon the merit and fitness of the men and will be in no degree within the control of the Police Department. New examinations are now being held under this system for all of these higher grades.

The significance of this change is highly important. It has long been the understanding that while it has been possible to promote men to the higher posts in the Police Department arbitrarily, and by manipulation of the rules, such appointments, very often, have either been given by favor or sold outright. Where men have paid for their places it is their natural instinct to recoup themselves by levying blackmail upon others, and there can be no doubt that this pernicious system has been at the bottom of a large part of the iniquity with which the New York Police Department has been charged. The new system renders this sort of thing almost impossible, and the men who are selected on their merits

without dependence on favor, political or commercial, are pretty certain to make far better disciplinarians and more honest policemen.

In the Street Cleaning Department, while the Tammany Commissioners have retained perhaps two-thirds of the men who served in the lower grades under Col. Waring, they have by skilful management made political favor the rule in filling the higher places, and the result has been a destruction of discipline, and the degradation of the efficiency of the Department to a degree rarely, if ever, reached before. The previous experience of the Commissioner of Street Cleaning himself had been that of a "book-maker" at various suburban race tracks. This failure of civil service reform at the top, carried out through various grades down to the sweepers, has been, as I have said, demoralizing, and is largely, no doubt, the cause of the wretched condition of the streets to-day. The death rate of New York City for the early part of December is 3 degrees higher than it was in the corresponding period a year ago.

Our Board of Health is charged with the inspection of various trades, and of the sale of fruit, vegetables, milk and other perishable commodities. Many of the inspectors employed for this work were smuggled in through evasion of the rules. Some of them, during the earlier period, were appointed temporarily. There is one case at least in which the results were curiously significant, when a batch of these appeared for examination for permanent retention. The Civil Service examiners had invited suggestions for questions from the office of the Board of Health itself. Some eighteen or twenty specimens of fish and other foods were sent to the examining rooms, labeled by numbers, and the candidates were required, after an inspection of the samples, to write down the names and qualities of each. Before the actual examination, however, the examiners changed these numbers about. One of the temporary people promptly tumbled into the trap and wrote on his paper the numbered list as the Board of Health had originally prepared it, calling his mackerel "lobster," etc., etc. The connivance of some one in the office of that department was clearly shown, and the examination was cancelled. An interesting side-light is thrown, however, on the fitness of the men originally chosen for this highly important class of work.

Another function of the Board of Health has been to examine the sanitary condition of tenements. For this purpose, under an act of 1895, a corps of fifty patrolmen were assigned from the main police force, and were known locally as the Sanitary Squad. The act in question required that they should pass a civil service examination as to their special fitness and understanding of the tenement work before the assignments were made. When the present charter was passed and Tammany came into power to administer it, it was promptly claimed by the Health Department that the requirement for a civil service examination for the sanitary policemen was impliedly repealed. Most of the trained men on the squad were accordingly returned to patrol duty, and the force since then has been made up of men selected without examination, on the theory that the sanitary places are "easy berths," the patrolmen fortunate enough to be assigned to them being selected by the Commissioner of Police for reasons of his own. The creation of our new Tenement De-

partment, which will be established on January first next, will remedy this state of affairs, but a deal of damage has already been done.

While these have been some of the discouraging conditions, there have been many things to encourage us. Most important of all the examinations, so far as they have in fact been used, have been prepared on sensible lines, and conducted with thorough honesty.

The new charter, which will go into effect on January first, and under which Mr. Low, as Mayor, will reorganize the municipal service, is a very great improvement upon the charter it replaces. The Civil Service Commission, which it is proposed shall be increased in membership from three to seven, will have largely increased powers. It will have the same authority to investigate conditions in the public service with reference to the administration of the civil service law, as a committee of the Legislature would have. It may summon witnesses, compel the production of books and papers, and administer oaths. It is not unlikely to be one of the principal agencies through which Mr. Low will carry on his work of general municipal reform, and there can be little doubt that, with the Mayor's approval, it will have the power to place the civil service rules and classification themselves upon a stronger basis than ever before. I believe that the opportunity that is now offered in New York to identify civil service reform in a conspicuous way with economy in administration, and with the creation of municipal order, is one of the most encouraging facts in the situation that the League at this meeting has in view.

Mr. R. Francis Wood, for the Pennsylvania Association :

Mr. Wood reported that, as the League had been told on former occasions, the only civil service law in the State was one applying to the City of Philadelphia, and was defective chiefly in not providing proper machinery for carrying out its provisions. The Mayor and heads of departments constitute the Civil Service Board, and make no reports of their proceedings, nor will they admit members of the Association or other citizens to the examinations. It is known that examinations are held, as the City Controller, who has to certify to the salary list of the City, requires a card to be filed with him giving the date when each man is examined, and these cards have been inspected by members of the Association from time to time; but we believe the whole system, as carried out, is nearly valueless, the rules being framed so as to effectually nullify the provisions of the act.

The Association hopes soon to begin again an agitation in favor of civil service reform, confining its efforts chiefly, however, to colleges throughout the State. In the Federal offices few or no complaints of violation of the Civil Service Law or Rules have been made during the past year.

Col. John W. Ela, for the Chicago Association :

During the eleven months of 1901 there have been 63 examinations by the Civil Service Commission of Chicago, of which 45 were original entry examinations (30 in the official and 15 in the skilled labor service) and 18 promotional examinations.

The promotional examinations have been given special attention in the past year. The new rule requires such examinations whenever there are two or more persons who have worked a year in the grade below. The object is to make advancement to higher ranks and pay depend upon meritorious work in the rank below. The daily records of conduct and efficiency form the principal elements in promotional examinations. These daily records, which were introduced early in the year, and from which the Commission receives monthly reports from each Bureau, have been steadily increasing in accuracy, the tendency to mark everybody 100 having been gradually subdued. They are also required to be produced in hearings on charges of incompetency, and their correctness is now seldom impeached. The Commission expects that the annual reports of the heads of departments at the end of the year will show such a saving, over previous years, in the cost of doing the city's work, as will reflect credit on these efficiency records, and on the character of the civil service examinations.

Under Section 12 of the Act (the removal section) during the eleven months the Commission has held 51 hearings, resulting in 32 removals from the service of the city, 11 suspensions, without pay, for varying periods, and 8 cases where the charges were not sustained. In addition to these, there have been numerous investigations by the Commission in cases of complaints growing out of laying off for want of funds or work and reinstatements and other alleged violations of the rules of the Commission.

There are two Trial Boards appointed by the Civil Service Commission, one in the Police and the other in the Fire Department. The decision of these Boards and the testimony taken in each case are reported to the Commission, and the decision must be approved by the Commission to be effective.

The Police Trial Board has heard 104 cases in the last eleven months, removing 17 men from the force, and the Fire Trial Board 50 cases, with 12 removals. A large proportion of the results of these cases, before both Boards, being fines or deductions from pay. These Boards, up to the first of last month, consisted of the higher officers in the Departments respectively, with a representative from the office of the Civil Service Commission. For what it believed to be good reasons, the Commission has made a change in the Police Trial Board, and it now consists of two of the Civil Service Commissioners and one Inspector of Police.

All but a small percentage of the entire city service is now working under the provisions of the Civil Service Act, and after examination and certification by this Commission. I believe it is generally conceded that the efficiency of the recent examinations has been pretty constantly increasing, and that the incompetents—whether they are there on account of improper examinations or other causes—are being gradually weeded out.

Our Supreme Court has settled the constitutionality of the Civil Service Act upon nearly, if not quite, every possible point, and yet the law is now passing through a period of apparent storm and stress, in which there is considerable noise but no real danger. Its opponents in

Chicago have, with a few virulent exceptions, given up the fight; but in examinations for some of the higher positions there are often applicants who cannot be convinced that they are not entitled to stand at the head of the list, and so they go into the courts to obtain their "rights"; and in hearings under the "Removal" clause of the Act some of those who are removed by the Commission from the more important places immediately commence suit to get back, charging the Commission with varying degrees of ignorance or tergitude. A cursory examination of the court records about this time will probably demonstrate that the Civil Service Commissioners—while admitted to be fairly peaceable in their private relations—are, officially, about the most litigious set of citizens in the county.

Nobody should be blamed for bringing these suits. The interests involved are important, to the plaintiffs. The questions are comparatively new ones. It was inevitable that they should be raised, and settled. But many people in Chicago seem to forget that six years ago it was the universal practice to throw out a large proportion of the officers and employees at every political change in the city administration (and they were frequent) without any notice whatever, and to fill the places with the political adherents of the new administration. It was a common thing in those days to issue a general order discharging 500 or 600 policemen at one swoop. Nothing prevents it now but the Civil Service law—and its enforcement.

The Supreme Court has already held that the decisions of the Commission cannot be reviewed by the Courts, when the forms of the law have been observed. The judges of the courts in Chicago have sustained the Commission in nearly every case so far. The law department of the city, which has represented the Commission in these suits, is entitled to high credit for its diligent and successful work in the enforcement of this law.

In 1895, toward the end of the session of the Legislature at which the City Civil Service Act was passed, a civil service law was enacted covering some of the offices in Cook County. It did not cover all of them because such a law would be unconstitutional, unless it applied to all the counties in the State which should adopt it, and the county members would not consent to that. The law which was passed was possible, and constitutional, because it applies only to the offices under the control of the County Commissioners of Cook County, and there is a clause in the Constitution which allows special legislation as to such offices.

It was hoped that the operation of this law would serve as an object lesson, which would pave the way to the passage of a general County Civil Service Act. But the way which was being paved by the operation of this Cook County law—up to the last few months—has led in a diametrically opposite direction to the one hoped for. The wonder is that it has not irreparably queered the idea of any civil service law with the people of that County.

All this was changed last summer as the result of a quick, sharp campaign by the Citizens' Association; and now the County Civil Service Commission is composed of men of character and intelligence, who

are actually holding *bona fide* examinations, intended to disclose the merit of the applicants, rather than the cunning of the examiners, and are otherwise giving promise of the future enforcement of the County Act.

There is also a substantial start this year toward civil service reform in the State service. Two of the ablest members of the State Board of Charities resigned a few months ago, on the ground that the recently elected Governor had defaulted in his promise to favor the application of the merit system to employees in State institutions.

This may not seem to you a substantial start, but it is. It has awakened a discussion throughout the State which, I predict, will end only when Illinois has a State civil service law.

The report of the Committee on Resolutions was submitted and read by its chairman, Mr. Everett P. Wheeler of New York. General Aiken moved that the several resolutions be considered *seriatim*, and the motion was carried. The resolutions were then considered, and after some amendment were adopted individually and finally as a whole, in the following form:

The National Civil Service Reform League, assembled in Boston, in its twenty-first annual meeting.

I.—Declares its loyal adherence to the true American principle which lies at the foundation of the merit system, of securing to every citizen of good character the right to compete for the honors and duties of public office, free from the disturbing influence of personal favoritism or party fealty.

II.—It congratulates the country:

On the restoration to the classified service by the recent order of the President of some sixteen hundred positions in the War Department;

On the amendments to the Civil Service Rules—improving the character of the Indian Service—placing Rural Delivery Offices in the classified list—requiring officers of the government to attend and give testimony upon investigations held by the Civil Service Commission—preventing the abuse of collusive transfers—and prohibiting the payment of salaries to persons illegally appointed;

On the removal or refusal to reappoint officials who have violated the Civil Service Law and the regulations which have the force of law;

On the excellent character of the President's first appointment to the Civil Service Commission;

On the great victory for sound principles of government in the recent municipal election in the greatest city of this country;

III.—It recommends:

That appointments to the entire labor service of the United States be regulated by rules as to registration similar to those which have been found so successful in the War and Navy Departments;

The extension of the competitive system to appointments in the municipal service of the District of Columbia;

The application to the Consular Service of competitive methods for the ascertaining of the fitness of candidates for appointment, similar to those now prevailing under the Civil Service Commission;

The continued enforcement and development of the admirable civil service principles which have been laid down for the organization of the public service in our insular possessions.

IV.—It urges upon its affiliated or kindred associations, and upon all friends of good government, to oppose by all honorable means;

The incorporation in the classified service of those clerks in the Census Office who were originally appointed for a temporary purpose without the test of competitive examination;

The enactment of any legislation similar in character or purpose to the Veterans' Preference bill, defeated at the last session of the Congress. Let liberal provision be made for those disabled by sickness and wounds, and for the families of the dead, but let not public office be treated as an asylum for those less competent to fill it; the people being entitled, under all circumstances, to the best service that can be secured.

Mr. William R. Corwine, representing the Merchants Association of New York, then read a paper on the organization of the Consular Service,* reviewing the history and growth of the service, reciting the efforts that have been made from time to time to place it upon a business basis, and showing the urgent need for reform at the present time. Mr. Corwine

* Page 68.

was followed by Mr. Harry A. Garfield, Chairman of the Consular Committee of the Cleveland Chamber of Commerce, who outlined the bill now pending in Congress, introduced by Senator Lodge, at the instance of a representative conference of commercial and business organizations during the past week. The remarks of Mr. Garfield, and a report of the discussion following, are printed herewith.*

Col. Ela, for the Auditing Committee, presented the following report :

BOSTON, December 13, 1901.

TO THE NATIONAL CIVIL SERVICE REFORM LEAGUE :

The undersigned, constituting the Auditing Committee, appointed by the Council, respectfully report that they have examined the accounts and vouchers of the Treasurer and find them correct ;† that the balance on hand November 30, 1900, was \$45.55 ; the receipts from all sources during the year, \$5,713.50 ; the disbursements for all purposes, \$5,691.51 ; and that the balance on hand at the end of the fiscal year on November 30, 1901, was \$67.54.

Very respectfully,

JOHN W. ELA,
CHARLES RICHARDSON,
Committee.

On motion the report of the Auditing Committee was accepted and ordered filed. The session then adjourned.

FIFTH SESSION.

HOTEL SOMERSET,

FRIDAY AFTERNOON, DECEMBER 13.

The League reconvened at 3 o'clock P. M., the President in the chair.

Mrs. W. H. Schieffelin, President of the Women's Auxiliary of the Civil Service Reform Association of New York, read a paper on "The Interest of Women in the Work of the League."‡ Mrs. Schieffelin was followed by Mrs. Henry Whitman, President of the Women's Auxiliary of the Massachusetts Association, who addressed the League with reference to the work and plans of that organization.§

* Page 73.

† Page 28.

‡ Printed in full at page 83.

§ Page 86.

Hon. John R. Procter, President of the United States Civil Service Commission, and Prof. A. Lawrence Lowell, of Harvard University, discussed the organization of the civil service in the dependencies of the United States. Their remarks are printed herewith.*

Dr. J. H. Hollander, of Johns Hopkins University, late treasurer of Porto Rico, then read a paper on the organization of the Insular service in that island.†

The conclusion of the meeting having been reached, General Aiken, of Connecticut, moved that the thanks of the League be extended to the Massachusetts Civil Service Reform Association, the Cambridge Association, the St. Botolph Club, to the Massachusetts Women's Auxiliary, and to Mrs. J. Montgomery Sears, for the cordial and generous hospitality extended by them to the visiting delegates, and that the secretary be directed to express to each the League's sincere and grateful appreciation. The motion was carried unanimously.

The League then adjourned.

Attest:

GEORGE MCANENY,
Secretary.

A DINNER to the visiting delegates was tendered by the Massachusetts Association at the Hotel Brunswick, at seven o'clock on the evening of Thursday the 13th. Prof. W. T. Sedgwick, President of the Massachusetts Association, presided on this occasion, and addresses were made by Dr. Daniel C. Gilman, President of the League; Hon. Carl Schurz, former president of the League; Hon. J. J. Myers, Speaker of the Massachusetts House of Representatives; Hon. Richard Olney, former Secretary of State; Dr. Charles W. Eliot, President of Harvard University; Hon. Patrick A. Collins, Mayor-elect of Boston; Hon. John R. Procter, President of the United States Civil Service Commission; Representative F. H. Gillett, Chairman of the House Committee on Reform in

* Page 90.

† Printed in the *Forum* for March.

the Civil Service, and Harry A. Garfield, Esq., of the Cleveland Chamber of Commerce.

At one o'clock on the afternoon of the 13th, the delegates were entertained at luncheon, at the Hotel Somerset, by the Women's Auxiliary of the Massachusetts Association, and at five o'clock of the same afternoon a reception was tendered them by Mrs. J. Montgomery Sears, at her residence on Arlington Street.

ANNUAL REPORT OF THE TREASURER.

November 30, 1901.

Balance on hand, Nov. 30, 1900. \$45.55

RECEIPTS:

New York Association.....	\$1,500.00	
Pennsylvania ".....	1,147.00	
Boston ".....	820.00	
Cincinnati ".....	411.50	
Chicago ".....	350.00	
Washington ".....	300.00	
Maryland ".....	300.00	
Missouri ".....	125.00	
Norwich ".....	100.00	
Indiana ".....	100.00	
Buffalo ".....	50.00	
Subscription of A. Hemenway.....	500.00	
Civic Club of Philadelphia.....	10.00	5,713.50
		\$5,759.05

DISBURSEMENTS:

Proportion of Salary of Secretary.....	\$1,500.00	
" " " " Asst. Secretary.....	737.50	
Clerical Services.....	1,010.01	
Rent of Office.....	400.00	
Traveling Expenses.....	180.13	
Office Expenses.....	278.46	
Printing.....	1,072.01	
Postage and Stamped Envelopes.....	228.72	
Washington Agent.....	57.00	
Expenses of Investigating Committee.....	227.68	5,691.51
		\$67.54
Balance on hand.....		

E. & O. E.

A. S. FRISSELL,
Treasurer.

REPORT OF THE COUNCIL.

TO THE NATIONAL CIVIL SERVICE REFORM LEAGUE :

AS soon as practicable after the last Annual Meeting of the League the Investigating Committee previously existing was reorganized, and Mr. Wm. Dudley Foulke of Indiana appointed its Chairman. This Committee, under authority from the Council, subsequently prepared and published nine reports: such of these as requested or advised Executive action were submitted to the President of the United States before publication. These reports were the following :

I. On the Indian Service, dated May 6th. The abuses arising from the selection of Indian Agents for political reasons are notorious and of long standing: they were thoroughly discussed in this report, many specific cases of misconduct on the part of Agents (several of whom are still in the Service) were cited, and carefully considered recommendations were made looking to the selections of such Agents hereafter either from the Army or through promotion from the Classified Service. Although these abuses have received attention from several successive Presidents, it cannot be said that there has been any systematic attempt to remedy them: the President's order of November 29th last, however, must be fairly regarded as a considerable step in the right direction.

II. On the Philadelphia Post Office, dated May 13th. In this the removal of the present Postmaster was asked for grave violations of the Civil Service Law. He was not removed, but will not be reappointed at the approaching close of his term of office, the choice of his successor having been officially announced.

III. On the assignment of government laborers to clerical duties, dated May 20th. This report exposed a serious and growing abuse and recommended, as a remedy, that the labor registration system of the Navy be extended to all branches of the Labor Service. A step in this direction was

taken in August by the extension of substantially this system to all laborers in the War Department at Washington.

IV. On alleged violations of the Civil Service law by the Collector of Internal Revenue at Louisville, Kentucky, dated May 27th. This report asked the removal of the Collector in question for repeated violations of the law. He was subsequently permitted to resign and his successor was warned by the President personally that no similar irregularities would be tolerated.

V. On alleged violations of the Civil Service law by the Collector of Customs at El Paso, Texas, dated June 3rd. The above mentioned officer was charged in this report with grave and fraudulent misconduct and his removal was asked. He was, in fact, removed on November 9th last.

VI. On the census frauds in the southern counties of Maryland. This report appeared early in June and showed the abuses resulting from the selection of partisan "workers" selected by unscrupulous politicians as Census enumerators. At the time it appeared criminal proceedings were pending against several parties on account of these frauds, and a certain Joseph Henry Ching, a prominent Republican politician of Southern Maryland, was subsequently sentenced to two years' imprisonment for instigating them.

VII. On abuses in the selection of subordinates of the House of Representatives. This appeared in July and was a review of the report presented by a Special Committee of the House on February 28th last. Some provisions were inserted in the Legislative, Executive and Judicial appropriation bill, passed on March 3rd, to correct abuses exposed in the last mentioned report, but the root of the evil lies in the selection of these employees through favoritism instead of for merit, and the evils arising from this can be corrected only through a thoroughgoing application of Civil Service Reform principles in their choice.

VIII. On constructive exemptions of federal offices from classification, dated July 29th. This report gave numerous instances in which classes of positions had been construed as exempted from the operation of the Civil Service law by, to say at least, very ambiguous language in the Acts of Congress creating them. Action has since been taken to bring

under classification the Rural Free Delivery Service, one of the classes of positions mentioned by the Committee, and the President's message recommends that hereafter employees selected for special or temporary purposes shall be always subjected to the requirements of the Civil Service law.

IX. On alleged violations of the Civil Service law by the Assistant Postmaster at Jersey City, dated August 5th. This report charged this officer with serving as Chairman of certain Republican Committees which solicited contributions for political purposes from his subordinates. The report asked the removal of the Assistant Postmaster, but the latter was exonerated by the Postmaster General. He has, however, resigned his chairmanships and ceased to be conspicuously active in politics: as to whether this was done under advice from his superiors the Council has no information.

The Investigating Committee had also prepared the drafts of two more reports, on the Internal Revenue Service and on appointments under the war emergency acts, which would have been submitted to President McKinley on his return to Washington, and it had collected a great mass of information relative to the results of the Executive Order of May, 1899, the organization and work of the Census Office and other matters, when its work was interrupted, first by the tragedy at Buffalo, and afterwards by the appointment of its Chairman to fill the vacancy caused by the resignation of Mr. Harlow from the Civil Service Commission. The Council about to be chosen must determine whether it shall be again reorganized, and its labors resumed.

The past year has been one of encouragement for the friends of Civil Service Reform. Commencing with the defeat of the so-called Veterans' Preference Bill and the failure of all the other measures introduced in Congress as either open or covert assaults on the reform, it has seen, beside the various instances of beneficial executive action above mentioned, the restoration to the classified service of some 1600 positions in the War Department, removed from it by the Order of May, 1899, the steady development of the Merit System in the Philippines and the restoration of entire harmony in the relations of the League with the Civil Service Commission. The language and official action of President Roosevelt—particularly the improvements in the rules just reported from Wash-

ington—leave no room for doubt as to his hearty sympathy with the friends of good government and pure politics, and throughout the Union the principles of the League are every day better understood and more evidently and firmly sustained by public opinion. The recent election in New York will be almost certainly followed by a great advance in their practical application, and, while the work before the League, and all the friends of honest government is still immense, and the pernicious activity of their adversaries unceasing, we may well be strengthened for the further conflict by the confidence born of signal success.

Respectfully submitted, on behalf of the Council,
CHARLES J. BONAPARTE,
Chairman.

Report of the Committee on the Civil Service in Dependencies.

TO THE NATIONAL CIVIL SERVICE REFORM LEAGUE :

THE outlook for the firm establishment of the merit system in the dependencies of the United States is satisfactory and gratifying. The beginnings have been made in a substantial manner, and the indications point to an ultimate fulfillment of our hopes and expectations in this direction.

On April 7, 1900, in his instructions to the Philippine Commission, President McKinley said : "Exercise of this legislative authority will include the making of rules and orders, having the effect of law, for * * * the establishment of a system to secure an efficient civil service." In enlarging upon this phase of their authority he said :

"It will be necessary to fill some offices for the present with Americans which after a time may well be filled by natives of the islands. As soon as practicable a system for ascertaining the merit and fitness of candidates for civil office should be put in force * * *

"In all the forms of government and administrative provisions which they are authorized to prescribe, the Commission should bear in mind that the government which they are establishing is designed not for our satisfaction, or for the expression of our theoretical views, but for the happiness, peace and prosperity of the people of the Philippine Islands, and the measures adopted should be made to conform to their customs, their habits, and even their prejudices, to the fullest extent consistent with the accomplishment of the indispensable requisites of just and effective government."

In the following September the Philippine Commission, following the suggestion of the President, passed an act entitled "An Act for the establishment and maintenance of an efficient and honest civil service in the Philippine Islands," the general purpose and effect of which was to establish a system of appointments through competitive examination. From time to time this Act has been amended, with a view to perfecting the system established. The act provides for a board, to consist of three members, which is authorized to

prepare rules for approval and promulgation by the Civil Governor, to extend, with certain specified exceptions, to all appointments of civilians to executive positions under:—

The Military Governor,
 The United States Philippine Commission,
 The Treasurer for the Islands,
 The Auditor for the Islands,
 The Collector of Customs for the Islands,
 The Collector of Internal Revenue for the Islands
 The Director of Posts for the Islands,
 The Civil Service Board,
 The Bureau of Forestry,
 The Bureau of Mines,
 The General Superintendent of Public Instruction,
 Wardens of Penitentiaries and Prisons,
 The Provost Marshal General of Manila,
 The Captain of the Port at Manila.

Among the excepted positions are those of Treasurer for the Islands, Auditor for the Islands, Collector and Deputy Collector of Customs for the Islands, Collector of Internal Revenue for the Islands, head of the Bureau of Forestry, head of the Bureau of Mines, Superintendent of Public Instruction, members of the Civil Service Board, and the private secretaries of the members of the Commission. Provision is made, however, that in the future, vacancies in any of these positions, except that of private secretary, shall be filled by promotion, without examination, from a class to be composed of the first, second and third assistants in the respective departments, it being expected that such assistants will be originally appointed as the result of what are known as department assistant examinations.

As a matter of fact, appointments to these positions have been made almost entirely on the basis of merit and, as will be described subsequently, this will be the invariable policy pursued in the future.

Another class of positions excepted from the provisions of the Act is that of teachers in the public schools; but for these it is understood special legislation will shortly be enacted. Appointments to positions requiring technical, professional or scientific knowledge may be made simply upon non-competitive examination, or without any examination at all, as the Board may determine. Members of the police force and of the fire department in the city of Manila, and the guards at

prisons and penitentiaries, are excepted; as are skilled and unskilled laborers, to the extent that the examination shall be non-competitive, and may relate simply to inquiry into the capacity of the applicants for labor, their habits of industry and sobriety, and their honesty; which inquiry shall be made by the appointing officers.

On November 30, 1900, the President directed the United States Civil Service Commission to co-operate with and aid the Philippine Civil Service Board, which subsequently adopted a set of civil service rules, modeled, it is true, upon the United States Civil Service rules, but giving, in the words of President Procter, of the United States Commission, "to the Civil Service Board larger discretionary powers than are given to the United States Civil Service Commission." It is the unanimous opinion of those who have examined the two systems and are qualified to speak, that the Philippine system is much the more satisfactory, more extended and complete. Lieutenant-Colonel Edwards, of the Insular Division of the War Department, is authority for a statement to this effect. He has spoken to members of your Committee in terms of unqualified praise, not only of the system, but of the results secured thus far through its operation.

Under the direction of the President, the United States Civil Service Commission holds such examinations in this country as the Philippine Civil Service Board may request. Up to this time competitive examinations for the Philippine service have been held in the United States for the following positions: Stenographers, typewriters, translators of Spanish, inspectors of boilers, and department assistants. A total of 436 persons competed in these examinations, of which number 166 passed. Of the eligibles thus obtained, 127 resulted from the examination for department assistants. Up to this time, however, no appointments have been made as a result of the latter, as the papers of that examination were forwarded to the Philippine Civil Service Board only a few weeks ago. As that examination secured a large amount of excellent material, it is expected that a number of appointments will be made from it. Of the other eligibles obtained, 29 have been offered appointment, and 22 have accepted. Prior to the establishment of separate registers for the Philippine service, 21 appointments were made from the eligible lists of the United States Commission,

so of which were from the stenography and typewriting register and one from the bookkeeping register.

The following appointments have been made in the Philippine service through non-competitive examinations held in the United States: One bookkeeper, 5 foresters and inspectors, 2 lumbermen, 1 photo-engraver, and 1 disbursing clerk. Twenty-three persons have been transferred from the United States classified service to the Philippine classified service.

The United States Commission rendered further assistance by sending several of its own office force to the Islands. In July, 1900, the loan of the Chief of the Examining Division, F. M. Kiggins, was requested and granted. Mr. Kiggins was appointed temporarily a member of the Philippine Board and for upwards of a year served as its Chief Examiner. Mr. W. Leon Peppermen and Dr. W. S. Washburn were similarly loaned, the latter having taken the place of Mr. Kiggins, who has since returned to this country.

The First Report of the Philippine Civil Service Board has been published in English and Spanish. It deals with many of the details of the service and contains a complete manual of information.

The good work thus auspiciously begun will be continued and extended, through the hearty and vigorous co-operation of President Roosevelt, who has declared his policy on the subject in clear and unmistakable terms. In his first annual Message, in discussing the merit system, he says:

"It is important to have this system obtain at home, but it is even more important to have it applied rigidly in our insular possessions. Not an office should be filled in the Philippines or Porto Rico with any regard to the man's partisan affiliations or services, with any regard to the political, social or personal influence which he may have at his command; in short, heed should be paid to absolutely nothing save the man's own character and capacity and the needs of the service.

"The administration of these islands should be as wholly free from the suspicion of partisan politics as the administration of the army and navy. All that we ask from the public servant in the Philippines or Porto Rico is that he reflect honor on his country by the way in which he makes that country's rule a benefit to the peoples who have come under it. This is all that we should ask, and we cannot afford to be content with less.

"The merit system is simply one method of securing honest and efficient administration of the government, and in the long run the sole

justification of any type of government lies in its proving itself both honest and efficient."

The President's insular appointments have been in complete harmony with these declarations and he has thus far succeeded in keeping politics out of the service and in establishing it upon a firm, substantial basis of merit. Those who know the President's earnestness and sincerity of purpose feel assured that no effort will be spared on his part to carry out his intentions to the very letter.

The importance of such a policy cannot be overestimated. This League on several occasions has emphasized the paramount necessity of the establishment of the merit system in the Islands which came to this country through the Treaty of Paris. In 1898, at the Baltimore meeting, the lamented Dorman B. Eaton delivered an address on "The Need and Best Means of Providing a Competent and Stable Civil Service in Our New Dependencies," in which he referred to the subject as "of vast and equal importance both to the United States and to the people of the dependencies. * * *

Whatever kind feelings, sympathies or co-operation may arise between our people and theirs cannot spring from kindred blood, congenial habits or common institutions, but must arise wholly from the blessings of justice and good administration to be established by us. * * * The manner in which England has surmounted these difficulties—and especially the means by which she rose above a selfish and partisan spirit in the selection and government of the civil servants of India, is not only especially worthy of our study at this time, but it stands as the noblest, the most successful and beneficent government of a political dependency."

In 1899, at the Indianapolis meeting, in a paper on "The Spoils System in the Government of Dependencies," Mr. Charles J. Bonaparte discussed the subject from a somewhat different standpoint, but reached substantially the same conclusions as did Mr. Eaton; and at the 1900 meeting, held in New York City, Mr. Elliot H. Goodwin, a member of this Committee, delivered an address on "The Choice of Correct Methods in the Administration of American Dependencies."

There are rapidly multiplying evidences of the awakening of the public to the importance of the subject in the attention given to it by the newspapers and in the periodicals. An ex-

cellent handbook on the subject of "Colonial Civil Service," by A. Lawrence Lowell, of Harvard University, has been recently published.

The President is fortunate in having the assistance in the execution of his policy of one so thoroughly committed to the merit system as the Secretary of War, Hon. Elihu Root, who has co-operated in every way within his power to make the system already established successful. In his Annual Report for 1901 Secretary Root says, in discussing the Philippine situation: "In providing for the personnel of the government which is thus gradually superseding military administration, the department has proceeded on the assumption that the honor and credit of the United States is so critically involved in creating a good government that the importance of securing the best men available should outweigh and practically exclude all other considerations. This principle of selection has been followed without deviation. No officer, high or low, has been appointed upon anyone's request or upon any personal, social or political consideration. * * The order of June 21 (1901) appointing the Civil Governor transferred the power to the Civil Governor, with the consent of the Commission. The exercise of this power by the Commission and by the Civil Governor has not been interfered with or overruled in any case. The only appointments of a civil character made by the administration of the United States since the Philippine Civil Service Commission entered upon its duties have been the Governor, Vice-Governor, members of the Commission, Auditor, Deputy Auditor, Treasurer and the Director General of the Posts."

The Secretary omits to say what he would nevertheless be amply justified in saying, that these appointments were determined entirely on the basis of merit and fitness, and several if not a majority of the cases represent promotion for efficient service.

Secretary Root in his report adds his testimony to that of President Procter, Colonel Edwards and all others who have expressed an opinion on the system, referring to "its successful and satisfactory operation."

The situation in Porto Rico differs from that in the Philippines, mainly because of the differences in the organization of the Island. The outlook for the merit system there, how-

ever, may be said to be encouraging. It has been considered and formulated by the United States Commission and will be put into force at an early day; just as soon, in fact, as the Commission can arrange to send one of its members to the Island.

In Hawaii the Federal service comes under the United States Commission, but the national government has nothing to do with the interior service of the Islands, which are organized as a Territory.

It is a sincere pleasure and gratification that the Committee is able to present so encouraging a report. Not only have the official declarations been most satisfactory, but the spirit in which they are being carried out is notably sincere and earnest.

From the President down, every official charged with a duty touching the government of our dependencies is imbued with a profound sense of duty, an adequate realization of the gravity of the situation and the imperative necessity of an unselfish, patriotic execution of the laws and regulations in the interest of the highest welfare of the inhabitants of the dependencies. With this state of affairs, the establishment of the merit system in them on an enduring basis should follow as a matter of course. It will be the aim of this Committee to aid in every possible way in extending and improving the system, and to that end to give to the whole subject careful and detailed study.

Respectfully submitted,
CLINTON ROGERS WOODRUFF,
D. C. GILMAN,
W. W. VAUGHAN,
R. FRANCIS WOOD,

Committee.

Report of the Committee on Superannuation in the Civil Service.

TO THE NATIONAL CIVIL SERVICE REFORM LEAGUE:

YOUR Special Committee on Superannuation in the Civil Service presented a report at the last annual meeting, submitting that of the several methods proposed from time to time for the retirement of faithful but superannuated employees of the Federal Government, the most feasible seemed to be that of requiring those hereafter appointed to positions in the classified service to file with the Government a deferred annuity policy, issued by reputable Insurance Companies, and guaranteeing to the policy-holder, at a suitable age, the payment of a stipulated annual sum during the remainder of his life. Your committee report in favor of a bill to carry out this general purpose, the details of which may be arranged by a Commission specially created for the purpose. It is also suggested that this same Commission should make a report to the President, to be transmitted to Congress, of a plan to cover the retirement, whenever necessary, of those already in the classified civil service. In proposing this bill your committee wish to emphasize the statement of its previous report, that the problem of superannuation, so far as it exists, is in no sense an outgrowth of the classified merit system, and that while the number of persons in the civil service who are actually superannuated is far less than popularly supposed—not more than 272 in ten thousand having reached the age of seventy, according to the latest figures available—the large majority even of these were appointed under the system existing before the passage of the civil service act.

Respectfully submitted,

RICHARD HENRY DANA,
SILAS W. BURT.

Committee.

Address of Dr. Daniel C. Gilman, President of the League, at Chickering Hall.

I CONGRATULATE the League on having reached its twenty-first annual meeting. The number "21" suggests that the League has "gone over to the majority," but if anybody supposes this to mean that the League has gone over to the land of shadows and silence, he will surely be mistaken, especially if he follows our debates. The attainment of our majority means the possession of maturity and strength, hope, courage and resolution—more life, not death—it means. It is a fit time for looking backwards as well as forwards.

Looking backwards, we can see how greatly we are indebted to the two illustrious men who have been our leaders through all this period, one of them no longer with us, the other now present with unabated vigor and undiminished wisdom. You know that I refer to the Honorable George William Curtis and the Honorable Carl Schurz. It is to their honest, acute and just criticisms, to their clear perception of the wrongs and remedies, and especially to their resolute defense of the principles of our League, that we owe the progress which has been made throughout the country in upholding, defending, and extending the Merit System of political appointments. It was of Curtis that Lowell wrote these lines:

" At courts, in senates, who so fit to serve?
And both invited, but you would not serve,—
All meaner prizes, spend your heat and light
Unpaid, untrammelled, with a sweet disdain,
Refusing posts men grovel to attain.
Good man, all own you, what is left me then
To heighten praise with—but Good Citizen."

I am] sure that you will all acknowledge that to Carl Schurz the familiar words of Tennyson are as fit as they

were to the illustrious warrior in whose honor they were written:

"Remember him who led your hosts

Who never sold the truth to serve the hour,
Nor paltered with Eternal God for power;
Whose life was work; whose language rife
With rugged maxims hewn from life."

Nor are they the only colleagues whose services we ought to bear in mind on this anniversary. Dorman B. Eaton stands in the very front of those who were awakened early to the necessity of this fundamental reform. He literally suffered on the battlefield, but his enthusiasm was never daunted. His voice had carrying power, his pen was always active, his co-operation could always be secured for any and every movement looking toward the improvement of national and municipal government. Another illustrious defender of our principles was the scholar, the poet, the philosopher, the diplomatist—James Russell Lowell, one of the first of the enlisted men whose essays and published letters and speeches show his long continued appreciation of our work, his readiness to uphold it in private and in public. Nor can we forget the trenchant pen of a writer no longer active, but just as sympathetic as ever in the advancement of the reform—Edwin L. Godkin, for many years the principal editor of the *Evening Post*, and for a longer period the editor of the *Nation*. Through the *Nation* he reached a very large number of thoughtful men in the various colleges, universities and professional classes, and made many converts who were hardly conscious of the influences by which they were moved. I could name many more valiant members of our League, but these are enough to refresh your memories of early days.

Looking backwards I am tempted to apply to our contentions the couplet in which an English poet referred to the history of Florence:

"'Tis the Past contending with the Present,
And in turn each has the mastery."

We have now reached the land of encouragement and hope, not the land of indolence and inattention, but the land

of assurance and redetermination, governed by the remembrance of what has hitherto been accomplished.

The movements of political progress, like those of light, heat and electricity, take the form of waves. Every great reform has its ups and downs. There are times when despondency comes over our minds and it seems as if there was nothing resultant from our efforts. There are other times when everything looks progressive and buoyant. There are times when nothing but fearless criticism, discriminating censure, and the enforcement of strict accountability can be tolerated. There are other times when we can cheer one another with the recollection of victories accomplished and of battles won. Our greatest satisfaction on this day is in the knowledge that the President of the United States—young and strenuous as he is, is a veteran civil service reformer. He acquired in the United States Civil Service Commission a complete familiarity with all the conditions and needs of a classified service—as the Executive of the Empire State he showed the spirit which animates his political life, and now, in the exalted station to which Providence has called him, he announces to Congress his purposes and hopes.

Let me read to you several words from his first Message. Two sentences, true as they are succinct, might be quoted as apothegms, and placed as mottoes in our school houses and public offices. Here is one utterance :

“The merit system of making appointments is in its essence as democratic and American as the common school system itself.”

And this is another :

“The merit system is simply one method of securing honest and efficient administration of the Government, and in the long run the sole justification of any type of government lies in its proving itself both honest and efficient.”

Here is a historical paragraph :

“Whenever the conditions have permitted the application of the merit system in its fullest and widest sense, the gain to the Government has been immense. The navy yards and postal service illustrate, probably better than any other branches of the Government, the great gain in economy, efficiency and honesty due to the enforcement of this principle.”

Here is the way in which he meets the difficulty that we

have all experienced regarding written competitive examinations.

"Written competitive examinations offer the only available means in many cases for applying this system. In other cases, as where laborers are employed, a system of registration undoubtedly can be widely extended. There are, of course, places where the written competitive examination can not be applied, and others where it offers by no means an ideal solution, but where under existing political conditions it is, though an imperfect means, yet the best present means of getting satisfactory results."

Here is a further explanation of the Merit System:

"It simply means that in clerical and other positions where the duties are entirely non-political, all applicants should have a fair field and no favor, each standing on his merits as he is able to show them by practical test."

Nor does the message stop with apothegms and history. Here is a distinct recommendation:

"I recommend the passage of a law which will extend the classified service to the District of Columbia, or will at least enable the President thus to extend it. In my judgment all laws providing for the temporary employment of clerks should hereafter contain a provision that they be selected under the civil service law."

Nor is our domestic service the only place where the merit system is applicable. The Consular service receives the President's attention:

"The consular service is now organized under the provisions of a law passed in 1856, which is entirely inadequate to existing conditions. The interest shown by so many commercial bodies throughout the country in the reorganization of the service is heartily commended to your attention. Several bills providing for a new consular service have in recent years been submitted to the Congress. They are based upon the just principle that appointments to the service should be made only after a practical test of the applicant's fitness, that promotions should be governed by trustworthiness, adaptability and zeal in the performance of duty, and that the tenure of office should be unaffected by partisan considerations.

"The guardianship and fostering of our rapidly expand-

ing foreign commerce, the protection of the American citizens resorting to foreign countries in lawful pursuit of their affairs, and the maintenance of the dignity of the nation abroad, combine to make it essential that our consuls should be men of character, knowledge and enterprise. It is true that the service is now, in the main, efficient, but a standard of excellence cannot be permanently maintained until the principles set forth in the bills heretofore submitted to the Congress on this subject are enacted into law."

Perhaps the most important paragraph of them all, is that which refers to our new possessions.

"It is important to have this system obtain at home, but it is even more important to have it applied rigidly in our insular possessions. Not an office should be filled in the Philippines or Porto Rico with any regard to the man's partisan affiliations or services; with any regard to the political, social or personal influence which he may have at his command; in short, heed should be paid to absolutely nothing save the man's own character and capacity and the needs of the service. The administration of these islands should be as wholly free from the suspicion of partisan politics as the administration of the army and navy. All that we ask from the public servant in the Philippines or Porto Rico is that he reflect honor on his country by the way in which he makes that country's rule a benefit to the peoples who have come under it. This is all that we should ask, and we cannot afford to be content with less."

We have a further illustration of the progress of ideas in the recent municipal election of Greater New York. Both candidates for the mayoralty are well-known to us as fearless, consistent and wise supporters of the Merit System. Both of them, unless I am mistaken, are officers of this League; either of them would have made a good mayor. The successful candidate has already begun to show the principles by which he will be governed. So far as his appointments have been announced, it is clear that he is seeking to fill the highest offices of the municipality by men whose fitness for the post is acknowledged by all and whose freedom from selfish or mercenary motives is absolutely certain. For two years at least the City of New York is freed from the domination of any boss. When we look back a short period and read what Mr.

Moorfield Storey ten years ago said of New York, we seem to have reached another world. He stated that seventeen actual office-holders, seven former office-holders, and two favored contractors, that is twenty-six persons, were drawn from the executive committee of Tammany Hall, which included twenty-eight men, and he adds, "that they are all professional politicians, and that among them are one convicted murderer, three men who have been indicted for murder, felonious assault and bribery, respectively, four professional gamblers, five ex-keepers of gambling houses, nine who either now or formerly sold liquor, three whose fathers did, three former pugilists, four former rowdies, and six members of the famous Tweed gang." Contrast this summary with the names of Seth Low, George L. Rives, Robert W. DeForest, James B. Reynolds and Homer Folks! Further comment would be superfluous.

Nor is New York the only city of progress. Of Baltimore, I can speak from personal knowledge, and can say that I believe its present financial management is absolutely free from any taint. The new charter, in some of its details, may be improved, but it is a great advance in the direction of good government, and the mayor, with the co-operation of many of the foremost citizens, is resolutely committed to the best principles of good city government. Contrast what was said in 1891 by Mr. Storey with what was said by Mr. William Keyser in 1901. Mr. Storey said that misgovernment was "more effectively organized in New York than in any other city, except Baltimore." Now Mr. Keyser within a week has said "happily Baltimore has awakened from its civic apathy and is to-day one of the most alert communities in the whole country." After saying that he does not know any important city where the vigilance of citizenship can be so surely aroused, he adds this tribute to the Monumental City: "Whether the one condition is the cause of the other, or whether the average of civic enlightenment is higher than elsewhere, the fact is that within the last few years the Baltimore voter has shown a clearer appreciation of his duties and a steadier purpose to perform them than the voter in any other large city that I know of."

If we need any further encouragement, we can certainly find it in the fact that our firm and judicious counsellor, who

has always been able and willing to hold a just balance in all controversies, Hon. Wm. D. Foulke, has been called to Washington and placed in the office of a Civil Service Commissioner, where his knowledge, his independence and his judicious qualities will enable him to render most effective service to the government.

Our estimate of social progress is largely a matter of temperament and it is fortunate when men of different temperaments are brought together in such counsels as those of this League. There are times when it is well to read the Book of Jeremiah and repeat his denunciations of those who transgress the laws of the Eternal. It is well, at other times, to omit the imprecatory psalms and join in the ascriptions of thanksgiving that so much good has been accomplished. It is most important that in our struggles to put down bad government and promote good government that we should constantly study the lessons of history. There is a chapter in Walpole's History of England which records what has been accomplished in that land since the days of the reform bill. A similar record, if not as brilliant, could be made in respect to the progress of reforms in this country.

When we consider the admirable administration of the national government in several of its departments, we may take great satisfaction in the fact that we are American citizens. Look at the accuracy of accounts in the Treasury Department. Look at the high character of our army and navy. Look at the superb work of our scientific bureaus, the Geological Survey, the Coast Survey, the Library of Congress, the National Museum, and the Department of Agriculture, not to mention others, and we must admit that there is little room for improvement in their methods of administration and appointment.

But we have great problems still before us. That which impresses me most profoundly is the need of organizing in our newly acquired possessions the best principles of civil government. I wish every one could hear the details in respect to Porto Rico, which are to be brought before this League by one who participated in all its proceedings. Let the hands of Gov. Taft be upheld and his endeavors to put before these distant islanders, and especially before all who go to those distant islands from this country and other coun-

tries, the true principles of administration, be encouraged and not hastily censured. In fine, my word to you is one of hope and courage, not blinded to existing faults, not unobservant of failures, not discouraged by occasional reverses, but determined to stand now, as we have stood twenty-one years, sure of our principles, resolute in our defence of them, hopeful of their ultimate success.

Brethren, press forward your advocacy of the merit system until every citizen looks upon those who violate its principles as he would look upon those who tamper with the coins of the republic. Let us eradicate from private life, from all the offices of education and philanthropy, and from all posts of trust and emolument, every consideration but that of fitness in place of Marcy's unfortunate dictum, "To the victor belongs the spoils;" let our watchword be—to merit only let office be awarded.

The Danger of Harmful Legislation.

FROM THE REMARKS OF WILLIAM DUDLEY FOULKE.

LAST year I thought that civil service reformers were rather more disheartened than they need have been. To-night I would utter a note of warning against over-confidence. We very properly rely upon the support of the President, and believe that he will leave nothing undone which is humanly practicable to advance the merit system. But we must remember that its destiny reposes not simply in his hands, but also in the hands of Congress. Adverse legislation may cripple or destroy it, and the friendship of the legislative branch of the Government is by no means assured. It was in Congress that the glaring abuses revealed by the Moody Committee were permitted to exist, and that body is very likely to adopt measures which may seriously weaken the competitive system. Let us consider what these measures are.

In the first place, there is a very large number of places in the Census Bureau which are very soon to become vacant. These places were filled by the patronage system, and appointments were made by the members of Congress, of both parties. The Democratic members did not get quite so many as the Republican members, and my impression is that the Representatives did not get so many as the Senators, but if I recollect aright, nobody got less than six, and regular books of account were kept in which these appointments were charged to the proper parties. The candidates nominated by the Congressmen for these places were required to pass a rather strict examination, and in a limited way the examination was competitive, because each member of Congress nominated about twice as many as were actually appointed, and those who passed the examinations best were chosen, unless, as sometimes occurred, the candidates were so poor that they

could not pass at all, in which case a new batch was nominated. In this way a better class of clerks was secured than when the previous census was taken, but the appointments were still patronage appointments, which went by favor and through personal and political influence, and were tainted with the essential vice of the spoils system. Now, the bulk of these clerks are soon to be discharged, and each one will naturally betake himself to his influence—that is, to the Congressman who secured his appointment. The Congressmen are already at work, insisting that the clerks appointed by them shall be transferred to other places, and urging their superior qualifications. According to the rules, they cannot now be transferred to the classified service, and there are very few other places left. What will be the result? Necessarily an attempt will be made to secure their appointment in some way. The suggestion may first be made at the White House and the office of the Civil Service Commission for an amendment of the rules, but it is doubtful whether either of these localities will be hospitable to the proposition; and I think it is inevitable that finally a vigorous and determined effort will be made in Congress for the enactment of a law transferring to the classified service the political and personal favorites who are now about to lose their situations in the Census Bureau. If that is accomplished, the Civil Service Commission might as well go out of business for the next year or two, so far as departmental clerkships are concerned. For wherever favoritism and competitive examination come into competition in this way, favoritism is sure to win, and the great bulk of the appointments will be made by transfer. Such an act would be a monstrous injustice to those who, in good faith, have taken the examinations and are now upon the eligible list. It would weaken the faith of every applicant in the integrity of the competitive system, and those who seek admission to the service would betake themselves in the future, not so much to examinations, as to the acquisition of Congressional influence to secure their places. I invoke all the aid which the friends of civil service reform can give us in the creation of a public sentiment which will prevent Congress from enacting such disastrous legislation.

The next measure which threatens the integrity of the merit system is the so-called Veterans' Preference Bill. There

ought to be no misunderstanding upon this point as to the feeling of the friends of reform. In the first place, I recognize, in common with all patriotic citizens, that the men who were willing to sacrifice their lives for the preservation of our Government forty years ago, as well as those who responded to the calls of their country in the late war with Spain, are entitled to the undying gratitude of their countrymen. For one, I desire to repel indignantly the sentiment that casts a sneer upon the soldier. I desire that he shall receive everywhere the honor which is his due, and even such official preferment as will not injure the service. But I believe that the great mass of the soldiers themselves, as they were first in patriotism when the call to arms was sounded, are to-day, not behind in the patriotism which would renounce personal preferment at the call of civic duty. I do not believe that the Grand Army of the Republic, or any organization of veterans fairly representative of the whole, will deliberately insist upon a measure which will impair the efficiency of the Government. But the Veterans' Preference Bill already introduced by Mr. Grosvenor will certainly impair that efficiency. That bill provides that any veteran who has passed the examination, no matter how low upon the list, shall be entitled to a preference over the competitor who has passed highest, and he is to be preferred not only for admission to the service, but also for retention therein as well as in all promotions. What will be the inevitable result of such a preference? The average age of these veterans is considerably over sixty years. They have reached a time of life when those in the service are already, many of them, proper subjects of retirement. The law contains a provision, indeed, that they shall only be appointed if they possess the necessary business capacity; but how long would men of that age continue to possess such capacity? One of the complaints against the merit system is that it produces the evils of superannuation. And yet some of the very men who raise this objection propose to create a preference in favor of a class of men whose average age is now over sixty-five years. Moreover, it is more than probable that Mr. Grosvenor's bill will be amended, as a similar bill was, a year ago, by a clause including in the preference the veterans of the Spanish war. There are several hundred thousands of *these* veterans, and they are nearly all young

men, so that the consequences which will result from this preference are certain to last a long while. Now, any system which sets aside the man who has proved his own qualifications to be best, in favor of the man who has shown his qualifications to be inferior, is not only vicious in itself, tending to secure inferior men, but it also discourages the best men from applying for the examination at all. The real encouragement is the probability of obtaining appointment. Wherever there is a preference claimant that probability is lessened, and to that extent the system is weakened.

I had a conversation with President McKinley upon the subject of the Veterans' Preference Bill, when it was pending before Congress. I called his attention to the terms of the bill, and to the reasons why it would inevitably result in the deterioration of the service. He looked at the bill (which was lying on the table before him) carefully and silently for a few moments, and then answered: "I am afraid that is so." A few days afterwards the measure was defeated in the House of Representatives by a vote of nearly two to one. I have no knowledge that the President had anything to do with defeating the bill; I can only put this and that together.

I now call upon the patriotic veterans of these two wars to co-operate with us, and renounce for themselves the preference to which such a measure would entitle them, and thereby to earn another title to the gratitude of their countrymen.

Address of Hon. Carl Schurz, at Memorial Hall, Harvard.

WHAT I am going to say to you is not new, but it cannot be repeated too often, especially before the young men of America. There is a widespread impression that it is the only aim of civil service reform to provide the government with a more efficient class of public servants. This is only one of its aims. But another one, and a higher one, is gradually to eliminate from our political life, the demoralizing element of patronage and spoil which appeals merely to the selfish impulses of human nature, and thus to open a larger and freer field again to the higher ambition of purely patriotic purpose.

The pest of politics in a democracy is the man who attaches himself to a political party merely for the sake of what he can make out of it in the way of material benefit. I do not mean to say that it is wrong or disgraceful to aspire to public office. On the contrary, it is right and laudable whenever the aspirant is able and desirous to return for the emolument received a full equivalent in service, and willing to stand upon his own merit. Nor do I mean to say that every one who enters the service in any other way, must necessarily be or become a drone or a knave; for I know that many of them have acted upon an honorable sense of responsibility and done good work.

What I mean to say is that the bestowal of office as patronage or party spoil is, as a general rule, bestowal of office by political or personal favor; that this favor is usually earned, and again to be earned, by personal or party service; that the beneficiary of that favor depends upon the continuance of that favor for his continuance in office; that thus his allegiance is divided between the public interest and his powerful patron; and that this relationship is apt to have a demoralizing effect upon the public service as well as upon the character of the office holder as a citizen—for he who depends upon arbitrary

favor instead of standing upon his own merit is no longer in the true sense a freeman.

I mean to say further that, as we know from long experience, under the patronage or spoils system, many men rise to great political influence and power without distinguishing themselves by ability or character or public usefulness—men who simply know how to speculate upon other people's selfishness, who are only skillful in organizing a personal following among those who want to be fed at the public crib, and in building up a party machine mainly officered by placeholders and composed of men eager to become such; and who thus become commanders of bands of political mercenaries more or less ready to do whatever political work their leaders may impose upon them without much or any regard to the public interest.

I mean to say further that in this way party leadership is apt to degenerate, and in some cases has actually degenerated, from leadership of opinion into mere leadership of organization—that is, from a leadership the aim of which is to commend to the popular mind certain principles and policies to the end of having them made effective by legislation and executive action, to a leadership which aims mainly, or even exclusively, at party victory and the winning of the spoil, caring for principles and policies not because of their true merits, but principally because of their use as vote-catching contrivances.

From these conditions has been evolved as a characteristic excrescence the party boss as we know him. The party boss in his highest development is the absolute dictator of the party organization within his city or his State, as the case may be. He controls the distribution, even in detail, of the patronage, the party spoil. He disposes of the party funds levied by assessments upon office holders, or upon corporations or other business interests that may be benefited or injured by party action. He awards the money for campaign expenses for candidates for office. He directs the subsidizing of the needy element of the party press. He rules, through his obedient henchmen, the party caucuses and conventions. He dictates the platforms to be adopted and the composition of the party committees. He selects the persons to be nominated as candidates for office—for Congress, for the Legislature, for

Governor, for Mayor, for Judge, and so on. He exacts from them implicit subserviency to his behests. In short, he absorbs in himself well-nigh all the functions of the political party.

I speak here of the boss in his highest development. This is no fancy picture. We have had party bosses, Democrats as well as Republicans, who answered this description in every touch. You may find them in New York and Pennsylvania. In other States the development has not been so complete. It is true, the bosses were sometimes baffled by revolts of public sentiment, and occasionally by a spirited President, who showed them his teeth in repelling their dictatorial demand for the absolute control of the federal patronage, or by some dutiful governor, who had a sense of higher obligation and a will of his own.

But you may safely take it that wherever a party machine exists, mainly held together by what has picturesquely been called "the cohesive power of public plunder", it will, by a natural process, tend to evolve that bossdom I have described—here a little more rapidly, there a little more slowly, as local conditions may be more or less favorable to it.

Wherever it exists, even in comparatively small beginnings, it will tend to grow in extent and rapacity of power; and in the same measure, as it grows, it will tend more and more to bring our public life under the control of the political huckster, to degrade our politics to the level of a game of small intrigues for selfish advantage in various shapes, and to exclude from official position and activity that high-minded ambition which would serve the general good according to the dictates of conscience and the inspirations of an enlightened patriotism—I say it will tend to exclude that high-minded ambition, unless it can corrupt and subjugate it to its selfish ends.

Now I do not assert that the element of patronage and office-spoil is the only agency that has fostered the tendency of demoralizing and degrading selfishness in our political life. But every attentive observer knows that the spoils system has been the principal and most effective agency in furnishing that evil tendency with an organized and well-drilled force of spoils politicians, or mercenaries—a force always standing ready for action in season and out of season, with untiring energy and sleepless perseverance, whenever

anything is to be done to keep our political life down to the level of a scramble for the loaves and fishes and to protect it against the invasion of the higher aspirations of a truly patriotic citizenship.

It is there that civil service reform steps in to do its most important task. I am certainly not sanguine enough to pretend that civil service reform will be a panacea for all the ills that beset our political life. Nor do I indulge myself in the expectation that the full fruits of civil service reform will be reaped before the merit system covers all the non-political places and fully supplants the spoils system in the political habits of the country. Until then there will be arduous and incessant struggle. But surely, with every office rescued from spoils-politics, the political huckster will have so much less of merchandise to trade in, the boss and the machine will have so much less of bribe to offer with every branch of the public service brought under the merit system—which makes proved fitness instead of political favor the test of eligibility for office—the public plunder which holds together the bands of political mercenaries will be so much curtailed and the field for the independent and legitimate ambition of the truly meritorious will be so much enlarged. And with every advance made by the cause of civil service reform in the favor of the public opinion of the country, that demoralizing and debasing agency in our political life which appeals to, and stimulates, mean selfishness, and, by the tyranny of organization, seeks to subjugate conscience, will be so much weakened, and the men of ability, high character, a fine sense of honor and the highest aspirations of true patriotism will so much more be encouraged to devote themselves to the service of the republic.

And this is the feature of civil service reform which I would commend for especially earnest consideration to our young men. They must look forward to the day when their duties as citizens will call them to the field of public activity. It must be their desire, as it certainly is their interest, that they should enter that field under conditions encouraging a pure and high-minded devotion to the public good; conditions permitting them to rise without imposing any tax upon their self-respect; conditions giving everybody a fair chance to rely upon his ability, character and usefulness for his place;

conditions under which they may be servants of the people and at the same time true freemen, with a conscience and principles of their own, and with the true pride of manhood intact; conditions inviting and encouraging the fullest development and exertion of their best abilities inspired by the noblest aspirations of American citizenship. Such conditions the elimination of spoils politics from our public life will powerfully help to secure; and we may all say, therefore, that civil service reform is prominently the cause of the young American who hopes to serve the republic with honor to himself and profit to the country.

How to Specialize Civil Service Examinations Most Effectively.

BY EVERETT P. WHEELER.

IT is now about twenty years since the passage of the Pendleton Bill. During this time, the Civil Service Associations of the country have devoted a large part of their attention to the endeavor to enforce the provisions of this Act, and other similar acts passed in different States, and to prevent, and if possible to punish the evasion of these laws by public officials. This necessarily has frequently put us in a position of antagonism to the officials charged with the execution of these laws.

Again it must be admitted that we have not been altogether exempt from the inevitable tendency of all associations to get into a rut. "Use and wont," as Emerson describes the conservative quality of human nature, seem to have an especial power in all associated effort, whether it be religious, philanthropic or political.

It behooves the friends of civil service reform to be on their guard against both these dangers. The history of the world is but too full of examples of the failure of our predecessors to maintain the real spirit and life of a movement auspiciously begun. It is easy for man to relapse into the bondage of the letter; it is hard to keep one's head erect in the freedom of the spirit.

During these twenty years, certainly much has been learned as to the best way of conducting civil service examinations. There can be no doubt that in many respects they have been greatly improved. Yet, if I may be allowed to refer to my own experience of nine years in the Municipal Civil Service Commission of New York City, I was often convinced that the examinations did not, as accurately as they ought, test the fitness of the candidates for the offices to fill

which the examinations were conducted. The first reason of this was that to which I have already drawn attention; that is to say,—a certain attitude of antagonism which it was hard to absolutely prevent, between the Civil Service Commission on the one hand, and the heads of department on the other. They had many things to ask of us which we found it impossible to grant. Some concessions which we thought it right to make were criticised by the unfailing vigilance of the New York Civil Service Reform Association. I do not mean to say that there was any pronounced conscious attitude of antagonism, but I could readily perceive that the heads of department in many cases did not look on the Civil Service Commission as an efficient means of providing them with competent subordinates, but as an obstacle that had been erected by the well-meaning zeal of reformers to prevent that exercise of discretion which the Chief thought to be his due.

One very amusing instance of this occurred at the commencement of Mayor Strong's administration in 1895. One of the heads of the smaller bureaux came to us one day and announced, with great surprise, that he found that all the positions in his office were in the classified service. He said that this prevented him from removing the clerks who held over from the previous administration. We pointed out to him that there was nothing to hinder him from removing any of these clerks whom he found to be incompetent or inefficient. "Well," he said, "that won't help me to get in my own friends. I have promised every one of these places to particular persons. Won't you consent that they be appointed without examination? Then I shall be very glad to have the rules applied to their successors." We told him this was impossible, and he went away sorrowful, for he had many constituents. The case I thus refer to was perhaps the most flagrant, but there were many others. This feeling that I thus mention, prevented the heads of department in many instances from stating, when they made requisitions for candidates from the eligible list,—the qualifications required for the particular position which they desired to fill, and even when the Chief was friendly the necessity for such statement was often overlooked. For example, Commissioner Waring needed a clerk who was to be employed in tabulating and adding together great columns of figures running into the

millions. Now, it is a matter of common knowledge that a man may be an excellent clerk, and yet not possess this particular aptitude. Two or three men that we sent Mr. Waring from our office, and who were at the head of the eligible list of clerks, proved not to possess this particular facility, which was the one thing needful in that particular office. As soon as he told us this, we made an examination to test that quality, and found a clerk who was entirely satisfactory. Our Commission, therefore, made it a point to impress upon the heads of department the absolute necessity of giving to the Commission a full statement of the duties and requirements of an office if they would have it filled to the best advantage. Our experience showed that it was perfectly possible on the one side by a civil service examination adapted to the requirements of the particular situation, to test the comparative qualifications of the candidates. On the other hand that if the requirements for the position were not fully understood by the examiners, it might easily happen that a round peg would be certified to fill a square hole. We were therefore always averse to making examinations very general in their character. We tried, as far as possible, to divide into numerous sections the various offices in the City Service, and our examiners were always instructed before preparing examination papers, to ascertain exactly the duties of the position, to provide an eligible list for which the examination was to be held.

Again, so far as possible, we instructed the examiners, and whenever we ourselves were called upon to frame examination papers, we endeavored ourselves so to frame them that they would deal particularly with the subject matter of the business of the office, and give the candidate an opportunity of showing, as accurately as possible, how intelligently he would discharge the duties of the office. For example: Our Commission had been in office for several years before we undertook to throw open to competition, the position of civil service examiner. When we did this, we required the candidates, among other things, to draw up schemes of competitive examination to test the fitness of candidates for particular offices, the duties of which were specified. We found the results of this special test very satisfactory, and never regretted that the position of Examiner had been put on the competitive schedule.

Another instance that I can give of our endeavor to specialize civil service examinations, and of the way in which we undertook to do it, is this: During, I think, the first year of Mayor Grace's administration, a vacancy occurred in the office of inspector of provisions for the City Hospitals and penal institutions. A very urgent appeal was made to us to recommend that this position be exempted from civil service examination. This was put on the ground that it was impossible by any scholastic examination to determine the fitness or candidates for such a position. Our reply was: "We will not make the examination scholastic." It must be borne in mind that the duty of this particular officer was to see that the bread and beef and tea and coffee and sugar and rice, and other articles furnished by contractors to be consumed by the wards of the City were up to the requirements of the contract. Accordingly we directed our examiners to secure a large number of samples of different qualities of these articles. These were numbered, and the principal part of the examination consisted of an inspection by the candidates of the different samples so produced, and a report upon the quality of each, comparing it, of course, with the standard of the contract. The result was most satisfactory. The man who came out at the head of the list had been in the general grocery business all his life. He had been passed in the competition of business by more enterprising houses; but understood thoroughly the business of the office which he sought, and which he filled with absolute integrity and good judgment for years. He had no political "pull." If the place had been exempt from examination, he never would have been appointed. Yet it was of the greatest importance to the poor, maimed, halt and blind that a man should fill the important office of inspector, who would see that the just requirements of the law and of the contract should be fulfilled for their benefit.

Excellent illustrations of the specialization of examinations, the importance of which I have sought to enforce, are to be found in the examinations for Examiner in the Patent Office, and for architectural draftsmen, conducted in the federal service. A ground plan is given to the candidate, and he is required to draw a front elevation "showing outline for main features of tower, roof lines, etc." "Show as much of cornice, windows, sill and lintel courses, etc., as will illustrate appli-

cant's ability in designing." Again a diagram of a fire-proof staircase is furnished and the candidate is required to draw a framing plan. A plain statement of such schemes of examination is the best answer to the critics who so often allege that civil service examinations are not practical.

To sum up then, I would say that the way to specialize civil service examinations is :

I. To ascertain accurately and fully the duties of the office to fill which the examination is held.

II. As far as possible to make the examination a specific test of the particular kind of work that the candidate, if appointed, will have to do.

III. Above all things, to avoid getting into a rut, and thinking that because a particular examination was an excellent thing for a particular place five years ago, it is of course the best that can now be devised for another place.

I am well aware that to give full attention to those requirements entails additional labor on the part of the examiners. They are often overworked and inadequately paid. Appropriation committees have certainly not dealt liberally with civil service commissions. But I am convinced from experience that if we firmly, but courteously stand for our right under the law, and refuse to put unfit work upon the public, even though the public is niggardly in providing compensation, we shall in the end justify our cause.

The Standard of Merit In the Higher Offices.

BY EDWARD CARY.

IN the first message of President Roosevelt there were these significant words: "The merit system is simply one method of securing honest and efficient administration of the Government; and in the long run the sole justification of any type of government lies in its proving itself both honest and efficient."

To those of us who have been working for a score of years or more to promote the adoption of the merit system, who have seen it advance slowly, step by step, with here a gain and there a loss, who have striven sometimes against stubborn opposition, to prevent the losses, to hold the gains, and always to press forward where and when we might, this statement of our ideal as a thing which must be taken for granted is a matter for joy.

In the same message there were other words equally significant and even more specific. President Roosevelt said:

It is important to have this system obtain at home, but it is even more important to have it applied rigidly in our insular possessions. Not an office should be filled in the Philippines or Porto Rico with any regard to the man's partisan affiliations or services, with any regard to the political, social, or personal influence which he may have at his command; in short, heed should be paid to absolutely nothing save the man's own character and capacity and the needs of the service.

The administration of these islands should be as wholly free from the suspicion of partisan politics as the administration of the army and navy. All that we ask from the public servant in the Philippines or Porto Rico is that he reflect honor on his country, by the way in which he makes that country's rule a benefit to the peoples who have come under it. This is all that we should ask, and we cannot afford to be content with less.

The interest of these utterances lies, not in their relation to the Insular Service, but in the fact that they contain the President's frank definition of the best possible administration and his description of the means to attain it. He applies it to the Insular Service, because he feels the tremendous obligation imposed on the Nation to secure the best administration there. But hardly any one would deny, and he least of all, that the definition is good and the means logical and practical in all public service. It is, of course, peculiarly our duty to see that the peoples for whom we have undertaken to provide government, largely without their assent or against their will, have the best possible service. The same kind of service would clearly be just as good for us, and the methods proposed to get it would, should we apply them, be as adequate on one side of the globe as on the other.

It has been the aim of the movement sustained by the Civil Service Reform League, and was so declared at the very start, to attain this kind of service in the government of the United States from the lowest to the highest grades. Admitting, as all sensible men must, that the officers vested with discretion as to the general policy of the government must agree in their views of that policy with the party entrusted by the voters with its application, it has been our belief that all other officers and employees should be chosen, promoted, retained or changed, with "heed to absolutely nothing but the man's own character and capacity and the needs of the service." The civil service law and the rules adopted have for their avowed purpose the institution of searching and practical tests, including probation as one of the most valuable, of "character and capacity." They are good only so far as they effect this purpose. Where they fall short or err, they should be changed. But the purpose is vital. It cannot be hidden, or evaded, or lost from sight without betraying the life principle of the whole system. When the purpose shall have been attained in its completeness, we shall have a type of government which, in the words of the President, justifies itself by being "honest and efficient."

It must be remembered, however, that there is a large part of the civil service of the United States, made up of some thousands of offices, filled by and with the advice and consent of the Senate, to which the particular methods of the civil ser-

vice rules may be applied only indirectly or not at all. Any system regulating appointments to these offices, fixing a standard of fitness for them, and determining tests for the enforcement of the standard, would obviously require the approval and coöperation of the President and the majority of the Senators who are the Constitutional sources of appointment. Of the two parties to the joint process of selection under the Constitution, the Senate and the President, the President is, logically, and in practice possessed of the larger share of authority. It falls to him to propose the names. His responsibility is greater and more distinct than that of any one Senator, and more tangible and effectual than that of the Senate as a body. Still the process is a joint one, and nothing that he can do is finally adequate unless he can secure the assent of the Senate. The situation is always a delicate and sometimes a difficult one, and the annals of our politics are full of the more or less serious embarrassments suffered in consequence of it by individual Presidents and by the country. Trying as it is, there is no probability that it will be changed in our time through any change of the Constitution. It is, therefore, interesting to note the particular treatment of the situation which President Roosevelt has in some significant instances adopted, and which it is generally understood that he intends to pursue in the future. He has caused it to be made known that in appointments requiring the assent of the Senate, outside of the army, the navy and the insular service, he will nominate men from his own party, proposed or accepted by the Senators immediately interested, with this condition precedent,—that they shall be men whom he considers fitted for the appointment. There have been several instances, notably in the Southern States, which it is not necessary here to discuss in detail, that bring out with sufficient clearness the nature and effect of this policy. It cannot be called strictly novel. In theory each President is supposed to be satisfied that his nominees are fitted for the places to which they are named. But we all know to what sort of appointments the joint efforts of the Senators and the President have in many cases led, and the body of conventions and mutual titillations within the Senate which has greatly influenced, if it has not controlled, the selections. The novelty of the policy lies in its distinct formulation and announcement and in the results that have in several instances

thus far flowed from it. The latter have been, it must be admitted, conspicuously satisfactory.

Clearly the value of the policy will, in the long run, to use one of Mr. Roosevelt's favorite phrases, depend on the firmness, sagacity and tact with which it is applied. It may lead to rupture with powerful political leaders, and in that case, the President's success—one might without exaggeration say his safety—will lie in his being not only right but obviously and convincingly right. He would make nothing by a contest with political leaders if he could not secure the support of a strong and well-informed public opinion, especially in the region where the office, the nominee and the Senator in question were best known. If his own standard of selection is clear and well-defined and sufficiently high, and the Senators willingly, or reluctantly, conform to it, the effect on party politics may be considerable. If fitness is to be the condition precedent, there will already be a "pass" examination to go through, and as the greater the fitness the better the chance, a sort of competition is likely to follow. The effect on the officers appointed and on their administration of their offices will tend to be for good. One of the President's Democratic appointees, taken in default of a suitable Republican, was promptly besought by the party managers in his district to distribute the places under him "for the good of the party." His only possible response was that he must follow the principle acted on by the President in his own appointment. Anything else would have been treachery. That is the influence which it is certain the policy of Mr. Roosevelt, firmly and intelligently applied, must exert. Men selected under it will have far less temptation to use their "patronage" for selfish partisan ends; they will tend to acquire that just view of the spoils system which the President expresses in connection with the Insular Service, and to share the distrust and contempt for it which he so candidly avows.

The sole force on which we may rely to bring about complete fidelity to the principle we believe to be the sound one is public opinion. The influence on that force of the facts described may be very great. We have from the President a distinct and comprehensive definition of good administration as required in the Insular Possessions, and it is the definition of the merit system pure and simple. We have his

express resolution to apply that system uncompromisingly to those possessions and to the army and navy. We have in addition his purpose to fix a standard of fitness to which all political selections must conform and his enforcement of that standard in important cases by appointments from the opposition. And back of the ideal of "honest and efficient" government thus professed and pursued we have that personality of his which, however we may individually judge it, has proved itself one of the most persuasive and impressive in our recent political history. Those of us who have been engaged in the work of this League since its formation are too old and too experienced to look for the immediate achievement of our ideal or even for unbroken advance toward it. We are all the more rejoiced that there is substantial ground for reasonable cheer.

Consular Service Reform.

REMARKS OF WILLIAM R. CORWINE, OF THE MERCHANTS' ASSOCIATION
OF NEW YORK.

THE subject of the reform of the Consular service has been before the public for a long time. It has received careful consideration by numerous government officials of high standing, has been studied by the Civil Service Associations, has been endorsed by the leading commercial organizations in the country, has been supported by the newspapers whose editors have co-operated for the upbuilding of the government service, has been discussed in Congressional Committees, and yet the desired result has not been attained. Certainly, the cause ought to succeed. No one who is not under the baneful influence of the vicious theory, that to the victors belong the spoils, can give even the most casual attention to the subject without becoming convinced that the movement is a proper one, while those who have had occasion to realize upon what a wrong basis the service rests, cannot fail to give their heartiest support to its reform. If the foundation for a house is insecurely constructed, the whole building becomes insecure thereby. The fault with our present consular system is that the foundation is wrongly laid. It is the fault of the system, rather than of the men who serve under it. That is wrong, and we ought not to rest until we have entirely remodelled it. Given a good system, and better results can be easily attained, but until the system itself is changed, the results are certain to average up bad. The Government officials in Washington, who in times past, have tried to improve the service, started at the wrong end, and their efforts were, therefore, doomed to failure. The axe must be put at the root of the evil. Let us wield that axe, striking a combined blow, and the root will yield. A wedge has been thrust into it. Let us drive it clear through.

The Consular service of this country was first established by Acts of Congress adopted in 1789 and 1790, or over a century ago.

Possibly, under the conditions that existed at the time the laws were enacted, the method of appointment prescribed served the purposes of the nation sufficiently well.

The population in 1790 was only 3,924,214, or less than the combined population of New York and Boston. Our total exports in 1791 amounted to \$19,012,041, and our imports to \$29,200,000, making the total volume of our foreign trade \$48,212,041.

Our business relations, therefore, were conducted on a comparatively small scale, with few ports, and it was easy to keep track of our consuls and their doings, while the executive in whom the appointing power was vested could make his selections probably under far less pressure than existed thereafter, and exists now.

Conditions, however, have changed very materially. What seemed to be, and perhaps was, a proper method of arranging for our consuls at that time, became, as the country grew in importance, and through the pressure upon the President by office-seekers, an evil which grew steadily worse.

Several times during the first half of the century, consuls, through personal efforts, obtained special legislation concerning their pay, but there was no change of any importance in the consular law until 1856. During that year, an act was passed, which very elaborately and with a great degree of particularity, set forth the pay of consuls-general, consuls, vice-consuls and commercial agents, and went very fully into details concerning the duties of each of these officers. The scale of pay provided for in that act, is practically the same as the scale in force to-day. Unfortunately, however, that act made no change in the method by which consuls were appointed. That remained the same.

At the time that this new bill was enacted, or in 1856, the population of the country was 31,443,321. Exports amounted to \$281,219,423, and the imports to \$310,432,310, the total of our foreign trade being \$591,651,733.

This was a great jump in volume of business from 1791. Meanwhile, new states had been taken in, and the political interest which had been confined to the original states, had

grown extensively. The theory that to the victors belong the spoils had spread until both parties were so impregnated with it, that after each campaign there was a scramble for office. Thousands of men, anxious to serve the country for a salary, for which they could do a minimum amount of work, brought pressure to bear for appointment, and they did not fail to lose sight of the consular offices.

The question of fitness scarcely entered into the consideration of the application for appointment as consul. It was a question of "pull," pure and simple. It oftentimes mattered not how low down in the scale of life a man might be, provided he had a "pull" sufficiently strong with the senators from his state or the member of Congress from his district.

It was too often the case that the appointments were allowed to go to men simply and solely as a reward for political services. They were frequently a reward for the dirtiest kind of political work—work which landed the principal in the Senate or the House of Representatives, and which the beneficiary felt in duty bound to repay. Sometimes, it was an easy way to get rid of an obnoxious political follower.

It was a rare thing when the man appointed to a foreign port could speak the language of the nation to which he was accredited. In fact, it is not saying too much to say that he was frequently deficient in English.

Yet, for years, men manifestly incompetent were sent all over the world, officially to represent this great government, and were unfortunately regarded by the people among whom they lived, as a fair sample of the official life of the United States. At home here, it really seemed as though any kind of a man was good enough to send as consul to a foreign port.

The system has become fixed. The men who had the appointing power were not willing to brave the anger of those upon whose recommendations the appointments were made, and so this custom went on from administration to administration.

In 1884, when Mr. Frelinghuysen was Secretary of State, he prepared an exhaustive report on the subject of Consular service, which was subsequently transmitted to Congress by President Arthur. In this report, the commercial conditions were fully set forth, and an enlargement and perfection of the Consular service asked for.

In 1864, the Hon. John Bigelow wrote to the home government from Paris. Mr. Bigelow then said :

"(1) That we are obliged to select for consular posts men without the proper training and qualifications.

"(2) We are obliged to select men who have no intention of making a career in the consular service. Consequently they have no great inducement to qualify themselves properly for a post which they can hope to hold only for a brief term by the acquisition of knowledge of little or no use to them in any other profession.

"(3) The fact that our consuls are so transitory deprives them of their proper influence in the consular body, as well as in most political and social circles, where it is the interest of the Government that they should circulate.

"(4) Such frequent changes prevent anything like uniformity or regularity in the conduct of consular business, which results in a serious prejudice to commerce and a grave inconvenience to the Department.

"(5) With each change of Administration the Government is exposed to lose the benefit of whatever knowledge and influence its agents have acquired during their terms of service, and thus most of the time is served by raw and, therefore, to a considerable extent, by incompetent officers.

"There is no other country in the world where the tenure of the consular office is dependent upon the permanence of the home Administration. Nor can the practice be defended by any consideration whatever which looks to its usefulness and efficiency."

In 1889, the Hon. Robert Adams, Jr., then United States Minister to Brazil, in an article published in the *North American Review*, said of our Consular service :

"The method by which the men are chosen for the positions necessarily brings forth poor candidates, while the short tenure of office, which is generally limited to the Presidential term, almost certainly so if a change of parties takes place, and the meagre salaries paid—in some posts hardly sufficient to support life in a respectable manner—deters competent men from entering the service. It should also be remembered that there is no promotion for efficient service ; that a consul can not hope for a change of climate from a trying to a more healthful and genial one after a given period of service, and that there is always the prospect of returning to the United States broken down in health, unfitted to resume private business, and without prospect of further employment at the hands of the Government."

Even a gentleman from far-away China, a Minister from that country to this, has criticised our Consular service. Referring to this service, in an address before the University of Pennsylvania, he said :

"Most European governments send young men to the East to learn the language and study the customs of the country. After a residence of two or three years, when they have proved themselves proficient, after passing a strict examination, they are then placed in responsible positions as student interpreters, consular assistants, etc. Merit is awarded by promotion. Thus those governments have competent men specially fitted for service in the Orient. It might not be unwise for your Government to adopt a similar system."

In 1897, Assistant Secretary of State Rockhill, in an article published in *The Forum*, analyzing the evils of our Consular service, summed up those evils as follows:

- "(1) Imperfect mode of selection of consular officers.
- "(2) No permanency of tenure.
- "(3) Inadequate compensation, resulting in (a) the exaction of excessive fees, and (b) the creation of consular agencies to increase salaries.
- "(4) Excessive number of fee consulates and commercial agencies.
- "(5) Imperfect enforcement of regulations, especially as regards amounts of fees and their collection."

But why go on and add to these comments? The conditions were self-evident to anyone who cared to study them.

In 1895, Secretary of State Olney, in a letter to President Cleveland, made an effort to improve the service. Based upon this letter, an executive order was issued by Mr. Cleveland, in which it was sought to better the conditions. This order, however, soon lapsed into a state of "innocuous desuetude," and no permanent benefit resulted.

Since the consular bill in 1856 was passed this country has grown enormously in population, in foreign commerce, and in prestige, the population according to the census of 1900 being 75,695,397.

In that year, our exports amounted to the enormous sum of \$1,394,483,082, while our imports footed up to \$849,941,184, making a total of our foreign commerce of \$2,244,424,266.

I think we are all thankful to President Roosevelt for the manner in which he has taken this subject up in his recent message to Congress. Probably most of you have read what he has said on this subject, but, even if you have, it seems to me his language is worth repeating:

"The Consular service is now organized under the provisions of a law passed in 1856, which is entirely inadequate to existing conditions.

The interest shown by so many commercial bodies throughout the country in the reorganization of the service is heartily commended to your attention. Several bills providing for a new consular service have, in recent years, been submitted to the Congress. They are based upon a just principle, that appointments should be made only after a practical test of the applicant's fitness, that promotions should be governed by trustworthiness, adaptability, and zeal in the performance of duty, and that the tenure of office should be unaffected by partisan considerations.

"The guardianship and fostering of our rapidly expanding foreign commerce, the protection of American citizens resorting to foreign countries in lawful pursuit of their affairs, and the maintenance of the dignity of the nation abroad, combine to make it essential that our consuls abroad be men of character, knowledge and enterprise. It is true that the service is now, in the main, efficient, but a standard of excellence cannot be permanently maintained until the principles set forth in the bills heretofore submitted to the Congress on this subject are enacted into law."

The language used by President Roosevelt, and what seems to be a practical recommendation in favor of the bill now pending, give us hope that the hard work that has been done by all interested will at last produce results, so that this service may be put upon the high plane that it ought to occupy, and be no longer a cause for humiliation on the part of the people, but something in which we can all take pride.

I do not mean, by what I have said, to convey the idea that all consuls are lax in their duty, or are bad men. That would not be true. Many men of high attainments—clean-cut, splendid men—have received appointments, and have done their duty with credit to the nation they represented, adding to our prestige abroad, and with credit to themselves. These stand as shining examples of which we are all proud, but not because the system under which they have received their appointments has brought forth their best efforts, but simply through the character of the individuals themselves.

REMARKS OF HARRY A. GARFIELD, OF THE CLEVELAND CHAMBER OF COMMERCE.

Mr. Corwine has set forth very clearly and most interestingly the history of the Consular Service in this country, and I think no one can fail to appreciate the necessities of the case. It has been suggested that the disease having been made known and the history of the case laid before you it

would be appropriate that a remedy be discussed, and inasmuch as it has been my fortune to be associated during the last four years with the movement for the reorganization of the service, that I explain to you a little in detail the bills now pending before Congress and the reasons for some of the provisions, especially some of the provisions which differ in character from the provisions characterizing the civil service law.

In the first place, let me call your attention to some features of the Consular Service which make it differ in character from the civil service at home. If one is traveling abroad and desires information, or has lost his wallet, we know he can appeal to our Consul, and may hope to succeed in recovering the wallet or getting the information. But perhaps we are not all of us aware of the fact that the Consul is called upon to perform certain duties important to the foreign commerce of this country. For example, one of the most important duties which the Consul must perform is that of certifying invoices of goods shipped to this country, so that the merchant here may be sure he is receiving that for which he is paying, and against which bills of exchange have been drawn. You can readily appreciate the importance of that duty. There is also the increasingly important duty laid on our Consuls of seeing to it that paupers and criminals, or persons afflicted with disease, should not be brought to this country, and I am sure we all hope that that duty may be enlarged as the years go by, and that although our doors are open to the oppressed of all nations, they may not be open to that kind of influence which has recently terminated so fatally and lamentably to this country, and that we may be protected from those miserable wretches who have no other influence on the world than the injurious one of disseminating false doctrines. Then again, in certain of the jurisdictions, as in the far East, there is what is called extra territorial duty to be performed; as, for example, in China our Consuls must exercise judicial functions—they may be even called upon to enforce the death penalty. Therefore it is easily to be seen that a distinction should be made between Consuls sent to the far East, who must exercise these extraordinary powers, and those sent to European ports, where the manners, customs and laws are so akin to our own that the exercise

of extraordinary powers is not necessary. Then, too, Consuls are sent so far away from the centre that there is little opportunity to check up the administration of the offices. It is important, therefore, that we should recognize the distinction, and ascertain whether there should not be a corresponding difference between the rules governing the Consul, from those governing an official constantly under the attention and supervision of his superior officer at home.

Mr. Corwine has, by a quotation from Mr. Rockhill, of long experience in the service, called your attention to the evils of the present consular system. Summarized in a somewhat different way, there are three great desiderata in the reform of the consular service. First, the appointment of competent men. Second, their retention in the service and promotion for merit. Third, their classification by grades and not by places. These three points are observed in the Lodge bill just introduced in the Senate.

I desire now to call your attention to certain differences between the two bills now pending before Congress. The Lodge bill is the bill prepared originally by the various Chambers of Commerce and Boards of Trade of the country, acting through a central committee. It therefore bears the imprint and has the benefit of the experience of our exporters and importers. It has been submitted to officers of the State Department, unofficially, of course, and has had the benefit of their criticism. The Adams bill, pending in the House, was introduced by Mr. Robert Adams, of Philadelphia, a gentleman experienced in the service, and now on the Foreign Affairs Committee of the House. The Adams bill provides for reorganization of the service by the appointment of a Commission, the Commission to be made up of two Senators, three members of the House of Representatives, and a State Department official, this Commission co-operating with, or, to use the wording of the bill, "to assist" the President in reorganizing the service. The remainder of the bill lays down certain general rules, which must govern the President or the Commission. Of these rules the most important governs admission to the service, and provides that no one may be admitted who is not first examined by a Board of Examiners made up of the Civil Service Commissioners and two officials of the State Department, and then provides

that the applicants shall be admitted to service in the order of their passage of the examination. With regard to this examining Board, the Lodge bill and the Adams bill are in substantial accord. In certain other particulars the bills, while perhaps not out of accord, do not cover the same ground, because the Adams bill, being framed on the theory that the Commission is to work out the details of the law, fails to mention certain matters which are conceived by the commercial organizations of the country to be of very great importance. For instance, the distinction between the European service and the Oriental service, to which I have already called your attention. The bill now pending in the Senate—the Lodge bill—provides that when the examining committee shall examine applicants for service in the Orient they shall be examined not only in the subjects provided for the ordinary service—the European service—but applicants must also be examined in the rudiments of the common law, in those subjects which will especially test their qualification for the actual duties they will be called upon to perform. The Lodge bill also provides, as the Adams bill does not—although, of course, it is possible for the Commission appointed under the Adams bill to make such a provision—for a Board of Inspectors. Some of you, here in Boston, will recall that something over a year ago, on the occasion of a very pleasant meeting, you heard from Mr. Washburn—formerly of the service, and then district attorney or assistant district attorney for this district—who laid special emphasis upon the importance of an inspection bureau. As he said, because of the fact that the Consuls are out of immediate touch with the Department at home, there should be a corps of inspectors in the employ of the Government whose especial duty it is to visit the various consulates and report to the State Department; in other words, there should be a board of traveling auditors, who shall audit duties rather than accounts.

With reference to the duties of the examining board, there is a provision in the consular bill that I desire to call to your attention, because of the difference between it and the provisions of the civil service law. Under the civil service law, as is well known to you, three names are certified by the Commission, and from the three names so certified the appointment is made. In the Lodge bill a provision is

incorporated that the names certified shall be five in number. It seems important to those practically informed about the service, that the number should be thus enlarged, and I am not here to either defend or advocate it, because I do not pretend to that kind of expert knowledge which would entitle me to have an opinion, but the State Department officials, and such men as General Foster and ex-Secretary of State Day say that the number should be five rather than three. It gives a little more elasticity in the matter of appointment, an elasticity which is thought to be necessary under the circumstances of the case. There is another important particular in which the bill differs from the civil service law. I may speak ignorantly concerning the civil service law, but I understand there is a difference. When the President appoints a person to the consular service the appointee takes office for twelve months. During that year, at any time, the President may, without giving any reasons for so doing, dismiss the person from the service. At the termination of one year, the man not having been dismissed, he becomes a permanent officer of the service, and can only be dismissed upon cause shown, and an opportunity given for defense against charges. The Consular Service bill—the Lodge bill—if it is passed, will place the consular service upon substantially the same basis with the naval and military offices of the country. That is to say, just as no colonel is appointed colonel to a particular place, so no consul will be appointed consul to a particular place. Under the provisions of this bill there will be consuls general, consuls, vice consuls and deputy consuls and commercial agents. Consular agents will be done away with. I need not take time to explain the technical difference between the two last named officers. It is sufficient to say these grades will fully meet the requirements of the service, and that any man in a given grade may, by order of the President, be changed from one post to another, as the requirements of the service dictate. At the present time, should war break out in a foreign country—let us suppose that some one of the South American countries is at war with Great Britain—it might be of the very first importance to us, that an official should represent the United States at a small port in one of the belligerents, of a rank considerably higher than the rank to which that port is

entitled. The Lodge bill provides for such an exigency. It gives the President the right to send a consul general, if he pleases, to that port for the time being. The consul general's salary is not changed, but the President may move his officials around precisely as the army or navy may be moved around to meet the circumstances of the case.

Now but one word in closing. At the last session of Congress the Lodge bill was reported from the Foreign Relations Committee of the Senate, but in the form in which it was reported it was worse than nothing. It was worse than nothing because of the fact that the bill had been changed in this important particular. The examining board, instead of being composed of the Civil Service Commissioners and two other representatives appointed by the President from the State Department, thus leaving the control of the examinations in the hands of the Civil Service Commissioners, was to be composed of three officials to be designated by the President, the Civil Service Commission being omitted entirely. Now, it is very clear that if this provision were incorporated, the law might better not be placed upon the statute books, because a President out of sympathy with civil service reform, would appoint men necessarily in accord with his own views as the board of examiners, and we would have no different situation from that now presented under the executive order put in force by President Cleveland in 1895. That executive order is still on the books. Under it the President may require the examination of all applicants for positions in the service. As a matter of fact it has practically fallen into disuse, as Mr. Corwine said. When at the present time a man is appointed to the service he is officially examined, and so far as has been observed, only those are thrown out whom it will please the President to be rid of. The bill that has now been introduced reinstates the section as originally written, and makes certain other amendments, especially an amendment providing for inspection of the service. Formerly we had hope, but now we can believe that there is an opportunity to secure the passage by Congress of a bill for the re-organization of the consular service. If the belief is well founded, and the Lodge bill becomes a law, then substantially the entire executive department of the government will have been taken out of the reach of spoilsmen, and so far as

this special branch of the department is concerned, we can reasonably expect to be freed from the humiliating spectacle, now too often presented, of a third-rate politician trying to represent usefully and with dignity, eighty million people. Not all of our consuls are inefficient. The great majority of them are at present well trained and able. But the more efficient they are, the more important it is that a law be passed to protect them from the slaughter incident to a change of party.

DISCUSSION.

MR. A. C. RICHARDSON: It does not seem to me that the tendency toward permanency of tenure in our consular service is a thing to be deprecated. As I understand the bills that have been introduced, and from what has been said about them, there is no feature in any one of them that seeks to compel any appointee to remain permanently in the consular service if he does not desire to do so, and still less that would compel him to remain permanently in the first office to which he happens to be appointed. It seems to me that this provision for permanency of tenure is in the nature of an inducement to young men of merit and capacity to train themselves for the consular service, just as, in the same sense, there must be inducements to enter upon a career as a doctor or a lawyer, and that is all that is meant by this provision for permanency when once appointed. It seems to me that careers are open to young men here—just as much open to them as careers are open to army or navy officers, if they desire.

HON. CARL SCHURZ: The thing complained of is that our Consular Service has been demoralized and degraded, and made inefficient by the intrusion of spoils politics. What is the object at which we aim? It is to exclude spoils politics from the appointment of Consular officers and from their maintenance in the service. What is the machinery we employ for that purpose? It is an examination through which the candidate for a Consular office has to pass before he is appointed. What is the security that that examination will really tell us which is the best one of the candidates? It is the enforcement of the competitive system. I say, therefore, that the efficiency of the

bills that are before Congress depends entirely upon the degree in which the competitive system is maintained in those bills. Now, how is the examination to be carried on? By a Commission. You may be sure that the less chance the spoils politician has to become influential in that Commission, the more efficient, the more valuable the examination will be. Whenever you hear of a Commission of Senators and Representatives, and one or two officers of the State Department, to examine candidates, then the probability is that of those Senators and Representatives there are some who will have certain favorites that they will want to put into office. Whenever you want to have that Commission entirely impartial, and removed from the influence of spoils politics, the nearer you get it to the ordinary Civil Service Commission the better your guarantee will be. Therefore, that bill which comes nearest to that ideal, that is to say, which puts the examinations most entirely, most completely under the control of the Civil Service Commission, will be the bill which in that respect will be the most efficient. You heard Mr. Garfield speak of a provision in one of the bills, enlarging from three to five the number of candidates that pass the examination from which a choice may be made. I notice that Mr. Garfield spoke with a certain mystery of that, and he said that the reason that had been alleged for it was that it would give a little more elasticity. I will tell you of what that elasticity consists. The true object should be to exclude spoils politics from the appointments, but the elasticity consists of giving spoils politics a little more chance; that is the whole of it.

Now to sum up the whole case, I think it must appeal to the sound understanding of every one—the more you confine the examinations to the competitive principle, and the less you make the number of examiners that do not belong to the Civil Service Commission, and the less you make the number of those to choose from, the better Consular service you will have.

HON. J. R. PROCTER: I think the President will feel very glad himself to limit his power in this respect. His power is limited in his appointments to the army and navy, because he does not take the graduates from Annapolis and West Point in the order of their graduation, notwithstanding the fact that he has the right to appoint the man from the bottom of the class

first; but we have adopted that custom, and the President of the United States has invariably followed the custom of appointing the graduates in the order of their graduation. In the same way I think he would be glad—I do not speak from any conference with the President—but I think he would be glad to appoint persons from the competitive examinations for the Consular Service in the order of their passing the examination, and there is nothing in the civil service law which will prevent the President from making any change in the Consular Service which would apply to himself. He can limit his own power of appointment.

With regard to what Col. Higginson said about the young men, my experience is that there would be no difference, no matter how rigid the examination may be, no matter how high the standard may be raised, providing you can offer the young men of this country a career. . . . I had the pleasure of talking to the Harvard boys in 1896, and one question which they all asked me was: "Is there any chance by which we may prepare ourselves in a post-graduate course for the Consular or Diplomatic Service? We do not care what the salary may be at the start if we are assured that there will be promotion to the upper places determined by our efficient service?" And the colleges of this country are turning out to-day a class of young men competent to pass any kind of examination. And because the Philippine Commission, of which I will probably have the pleasure of saying something this afternoon, has assured the young men of the country that even the excepted places will be open to the young men who now enter the service, we are having the very brightest young men in America willing to take the examinations and willing to undergo the hardships of the Philippines service, going into the lower grades in order to get this chance of promotion. I believe we would not have this trouble of competing, as we have heretofore, with the great industrial enterprises taking the brightest young men of the country, if we would only assure tenure and promotion based on efficient service.

MR. GARFIELD: May I say just one additional word. I think everybody who has been interested in the introduction or preparation of these bills in Congress, as well as you all here, agree thoroughly with what Mr. Schurz has said to us. I did

not intend to be mysterious, unless it is that ignorance is always mysterious. I said, I believe, this, I would not undertake to handle the subject because I was not an expert in it. . . . I do know this, though, that one of the chief difficulties in reorganizing the service, the real difficulty, is one which is not present in the civil service. The constitution of the United States provides that the President shall appoint, subject to confirmation by the Senate, certain officials, among whom are named Consuls. We, ourselves, desired to make it absolutely competitive, but the danger was that if we made a provision so absolutely unelastic—to use the same word that I did formerly, and that Mr. Schurz referred to—if we had provided for an absolutely competitive examination, in short, that the one to pass highest should be appointed, it is very manifest we would have undertaken to deprive the President of the exercise of power which the Constitution places upon him. It was for that reason that he was given any leeway at all. Then, as to whether there should be three or five names certified to the President—that was a matter of practical consideration, because a Consul could be judged not so well by merely a competitive examination, as to scholarship and other things. It was suggested by the officials of the Department, as well as by those who are interested in the subject purely from the reformers' standpoint, that it would be wise to enlarge the number to five.

The Interest of Women in the Work of the League.

ADDRESS OF MRS. W. H. SCHIEFFELIN, PRESIDENT OF THE WOMEN'S
AUXILIARY, NEW YORK.

THE Women's Auxiliary to the Civil Service Reform Association of New York has at various times since its organization in 1894, reported the results of its work at annual meetings of this League. There has been no year, however, that has witnessed so much of progress in its field, and so much encouraging accomplishment as the year that is now closing. It was the former purpose of the Auxiliary to assist the local Association in its work in whatever ways proved practicable, and in particular in enlisting the support of good citizens, both men and women, and in adding to the funds at the Association's command. The field, however, has broadened greatly. In addition to its original undertaking, the Auxiliary through its officers, and principally through its salaried Assistant Secretary, has established relations with organizations of women in various parts of the country, and with their cooperation has, we think, assisted materially in the great work of educating public opinion on the subject of civil service reform, and in establishing new agencies for the dissemination of our educational literature. A brief survey of what has been accomplished during this single year may be of interest to the delegates at this meeting:

Our Auxiliary, as well as that of the Massachusetts Association, more recently organized, but exceedingly active, has not only kept in touch more or less directly with the federated Women's Club throughout the United States, but has succeeded in arousing the interest of three entirely new groups, two of which at least have centres in many States and cities, namely: The Association of Collegiate Alumnae, the National Society of Women Workers, and High School teachers

and pupils. A certain allowance of time has been devoted to civil service reform at many meetings of State Federations and other organizations of women. These meetings, with the promoters of which we have been in correspondence, have been as far west as Washington State, where a paper prepared by Mrs. Lowell, dealing with civil service reform, was read and many of our pamphlets distributed.

In Illinois the Civil Service Reform Committee of the State Federation has, among other things, organized a prize competition for the highest classes in the high schools throughout the State. This is to deal purely with the civil service reform experience of Illinois. In New York, at the meeting of the State Federation held on October 9, five papers were read and outlines of courses of study of the various phases of this question were drawn up, and will be published and circulated among the clubs of the State. In Connecticut a joint meeting has been held under the auspices of the State Federation and the New Haven Civil Service Reform Association, and original pamphlets have been prepared for circulation. From New Hampshire, and New Jersey, and from Ohio, come other good reports of work under way, but probably the most encouraging fact to announce in connection with the Federated Clubs is that through the efforts of Miss Perkins, of Concord, an entire hour has been set aside for the discussion of civil service reform at the biennial meeting of the National Federation to be held at Los Angeles, Cal., in the spring.

It has taken a year of entire effort to awaken the interest of college women, undergraduates as well as graduates, but this finally has been well accomplished. The New York Auxiliary has conducted two competitions for prize essays on civil service reform, each of which has been signally successful. Through the influence of members of the faculties of some of the Women's colleges, the circular announcement of the second competition has been largely distributed among students, and it is believed that even if a comparatively few of these compete, all who take the trouble to look into the matter will at least realize how important a question the reform of the civil service is. In interesting college women we have had the hearty cooperation of Miss Lucy M. Salmon of the faculty of Vassar. Through her advice and suggestion, Miss Leach and Miss Morris, the president and secretary respec-

tively of the Association of Collegiate Alumnae were persuaded to recommend to the various branches, at the annual meeting in Buffalo, a comprehensive study of the civil service reform movement. We have since written to each separate branch of this organization, offering to aid in arranging meetings for them, to be addressed by the speakers most readily available, and eight of the twenty-three have already sent favorable replies. In Detroit the local organization is not only considering the holding of a meeting, but has appointed a committee to help emphasize civil service reform principles in the schools of Michigan.

The National Society of Women Workers first learned of civil service reform last summer at Buffalo, when Miss O'Reilly, head worker at the Asacog House in Brooklyn, read a paper which aroused great interest. This was directed particularly to workingwomen, and we understand that it will be largely circulated among them. Through the cooperation of Miss Wilkinson, of Syracuse, the secretary of this society, the Auxiliary is enabled to bring the subject of civil service reform before workingwomen's clubs during the coming winter in New York City, Pennsylvania, Massachusetts, Connecticut and Maryland. Through this society and through the headworkers in settlements, we hope to reach a class of women who are found neither in the Federated clubs or in the Associations of college graduates, but who have proved that they are not only interested in the civic betterment of the locality in which they live, but in the larger problems of municipal, state and national government as well. If these women can be made to understand both the practical and ethical value of the merit system we believe they will exert a great influence upon the workingmen, many of whom, through misunderstanding of its methods and purposes, have not, up to the present time, thoroughly believed in civil service reform.

Early last summer Miss Foster, the secretary of the Massachusetts Auxiliary, conceived a plan of enlisting the interest of the boys and girls graduating from Massachusetts high schools, by first interesting their teachers in civil service reform, and in offering to furnish pamphlets free of charge as collateral reading in United States History and civil service reform classes. Miss Foster met with such success that she proposed that a similar offer should be made in New York.

We have since taken this work up in New York also, and it has met with the heartiest cooperation of teachers. Many hundreds of pamphlets have been distributed. In one case a request for a large number of these pamphlets came from the city schools within twelve hours after our letter had been mailed. We have since extended our offer to educational institutions outside New York State, and have already met with hearty cooperation in Michigan and in Alabama. In the former State our publications are in use in the State Normal College, and in Alabama we have had the cooperation of Mr. Booker T. Washington, who has not only asked us to send pamphlets for use at Tuskegee, but has suggested ten other Southern institutions of similar character that might be willing to aid in their distribution.

A bibliography of civil service reform and related subjects prepared for the Auxillary two years ago, is about to be brought to date and republished.

I hardly need repeat on behalf of the New York Auxiliary that we are greatly encouraged by what has been accomplished, and that we are facing the future with a very reasonable hope of extending our activity on these various lines, and of adding constantly to the list of those women who are enlisted for similar work, either within our own membership, or elsewhere.

ADDRESS OF MRS. HENRY WHITMAN, PRESIDENT OF THE WOMEN'S
AUXILIARY OF MASSACHUSETTS.

I had the good fortune this morning, when I came early to the first session of the League, to meet the president, and to have a few minutes talk with him. We spoke of the Women's Auxiliary and its first report, which was to be made later in the day, and when I said in a note of regret that the report must be inevitably, a tale of small things, Mr. Gilman replied that no one could be disappointed in an *infant* association, for it was bound by no promises.

I felt for the first time the solace of belonging to a body *without tradition*, the only look, forward, the only watchword, hope. And it is with this sense of consolation that I am to-day emboldened to make the first report of this young society which is not yet ten months old.

You who have listened to Mrs. Schieffelin's report of work done in New York City, will, doubtless, see where much of the inspiration was derived. We had heard here of the activity and efficiency shown by the Women's Auxiliary. Already, in many directions, and for varying reasons, wise and thoughtful women in Massachusetts had begun to feel that there was warrant for attempting to arouse a deeper conviction among women in regard to the great principles involved in Civil Service Reform. A few well-known and trained thinkers in civic matters—Mrs. Elliot Cabot, in Brookline, Miss Perkins, formerly of New York, but now, happily, living in Massachusetts, had long thought and talked of organization; the time seemed ripe; a small pre-primary was held, and a board of officers elected. But officers are not the bones and sinews of an association, and, encouraged by the Massachusetts Society, we called a meeting of ladies, who, after listening to addresses of a most cogent nature from Messrs. Vaughan and Dana, and Professor Sedgwick, expressed their interest by forming a body of membership of no inconsiderable size. Four orders of members strengthen our hands; life-members, sustaining members, group members, individual members. And so large an interest has been aroused in the value of the work that we have to-day a membership of over five hundred. So much for establishing *existence*. The next step lay in trying to form wise methods for propagating the *doctrine*; and this has been done in various directions, as, for example, appealing to some of the Women's Clubs already known to have an interest (perhaps a special committee) in behalf of civil service reform extension. To such clubs we have offered to send speakers, and have invited them to establish branch committees, which should have the advantages of belonging to the central body, and yet do work in their own district. Nor has this commerce with the clubs been confined to Massachusetts only. Our secretary has had broad views of our possibility of relationship, and has corresponded at length and with result, with clubs all over the country, finding encouragement all the way from Maine to California. Since July we have reports from thirty States expressing interest and a desire for cooperation; while within a week we have news from Los Angeles that at the approaching convention of the Federation of Clubs, an *hour* (a very large allotment) has been set aside for Civil Service Reform. Again, our effort has been

to spread the *literature* of the reform; distributing freely some of the valuable essays published by the New York Society, those of Mr. Cary, of Mr. and Mrs. McAneny and others; together with several of our own publications; offering them to clubs, and keeping them on sale in shops. In the summer our secretary addressed a circular letter to teachers of High Schools in many States, asking if they would consider the possibility of using our pamphlets in connection with the study of Civics, if we sent these essays to them free of cost. Replies were received, showing interest in the matter, from eighty masters, in all parts of the Union. Later, Miss Foster wrote a second circular inviting reply, with comment upon the experiment. The result of this was gratifying. In several instances masters reported that their pupils took a much larger interest in the subject as they found it explained and emphasized in our pamphlets; and that they hoped to embody the use of these practical essays more fully. In *all* the High Schools of Milwaukee these essays were used, and it is interesting to note that the Superintendent of Parochial Schools in New England wrote with great sympathy of the matter, and added that he was about to bring it up before the Arch-Diaconate.

In this brief summary, Mr. President, I have endeavored to indicate the *beginnings* of what we hope and believe will be a large work. We believe this not only because we have found sympathy and response in our small work so far; but because we think that our conditions are in no wise unique, but part of a large, intelligent awakening to a sense of a great responsibility.

Everywhere, indeed, almost the same conditions exist—and what are these conditions? It is easy to see, first a highly organized system of clubs, ready to do practical, systematic work for a cause in which they believe; second, large numbers of thinking women deeply aware of the need of maintaining national honor; and third, a ripe moment, because of late the change and stress in our country's life has been so great.

Considering these things then, Mr. President, are we not warranted in believing that when women newly perceive and teach the higher law of patriotism, their sons will the better understand and practice it?

I said at the beginning of this brief report, that I had felt so strongly the consolation and sense of freedom which came from the total absence of *traditions* in our new work. But in truth we recognize a higher court of appeal. May we not venture to ask of our friends that they will wish for us such strength and courage as to desire always that we may be judged only, by our *ideals*?

The Insular Civil Service.

REMARKS OF HON. JOHN R. PROCTER, PRESIDENT OF THE UNITED STATES CIVIL SERVICE COMMISSION.

I DO not believe we will differ on this subject, because no matter how we may differ as to the policy of expansion or propriety of retaining the Philippines, we must be all united in the determination that whatever government shall be accorded these colonies or these possessions shall be the best government in the world. And I believe we are all in accord in one thing; that good government can only be given to those possessions by the strictest enforcement of a rigid civil-service law. Nothing since I have been connected with civil-service reform has been to me more encouraging than the work of the women in the cause of civil-service reform as explained by Mrs. Schieffelin and Mrs. Whitman to-day; because I feel that the days of the dragon of spoils are numbered if the women of the country take the interest which I see the women of Massachusetts are taking in this cause. Ruskin never said a truer thing than when he said: "The buckling on of the knight's armor by a woman's hand is not the caprice of an idle fancy. The soul's armor is never well set unless a woman's hand has braced it, and it is only when she braces it loosely that the honor of manhood fails." And now that you ladies have enlisted so intelligently and put on the armor in this cause, and are doing such effective and efficient work all over the country, I believe that the cause is won.

As I remarked, it does not matter what kind of a law is enacted, the value of that law will depend upon the methods of its enforcement, and the character of the men selected to enforce it. And the most encouraging thing I know of to-day is that the President has selected for the three men now to inaugurate rules in our possessions, men who have the confi-

dence of the entire country. President Roosevelt, before he became President, writing about the kind of man who ought to be sent as the first governor of the Philippine Islands, said that the man should not only have the qualities to make a first-class President of the United States, but he should have the qualities necessary to make a first-class Justice of the Supreme Court of the United States, and that Governor Taft had those qualities combined. It is not necessary to tell you anything about the work of Leonard Wood in Cuba. You have in Governor Hunt in Porto Rico an able man who is imbued with the principles of civil service reform, and he wants to see those principles inaugurated not only in the Federal service in Porto Rico, but in the municipal and in the insular service there—the territorial service. He has in a high degree the sympathies of the people, and he is going to do everything he can to advance the interests of those people.

You will probably like to know of some steps taken in the initiative as to the application of the merit system in the colonies, and I think the Civil Service Commission may point with some degree of pride to the fact that it has had something to do at the outset in this matter. Immediately after the close of the Spanish War, in the autumn of 1898, the Commission published a report advocating the application of the civil-service law and rules to the insular possessions, and in the following spring it published in its annual report the following:

“ The purpose of the following discussion of colonial government is to show how problems similar to those which will confront this country in meeting the responsibilities thrust upon it by the Spanish-American war have been successfully solved. It would be strange if this country should not be able to deal with these colonial problems, for it was through the action of the founders of our Government that the enlightened method of dealing with colonies was introduced as a policy. Until then the old Roman method of treating colonies as dependencies, to be exploited for the exclusive benefit of the home government, had been in practice throughout the world. That this practice was a main cause leading to the revolution of the colonies is well shown by Trevelyan in his recent *History of the American Revolution*.

“ It is believed that the training received in this country is better adapted to teach men to grapple with new conditions than the training received in England and Holland. This is demonstrated by the successful management of large industrial and commercial enterprises ;

and to administer successfully the government of our new possessions the Government must compete with the management of private enterprises in securing and retaining the services of able men. It will be seen from a study of the facts hereinafter presented that England secures the services of such men by giving a tenure dependent on faithful and efficient service and not subject to political changes at home, by making the pay for such services commensurate with the importance of the positions and the dangers and inconveniences which they involve, and by encouraging promotion from the lower grades to even the highest positions in the gift of the Empire."

It was said this morning in discussion that it was almost impossible to get our best young men because of the high rewards offered in the great industrial enterprises of the country, but in this connection you must remember that when Leonard Wood was struggling with yellow fever in Cuba—and, by the way, he has eliminated yellow fever from Cuba—when he was carrying on that battle, the consolidated railroads of Washington city offered him \$35,000 a year to give up the work and take a position with them, and that he rejected the offer. The example of the President of the United States in giving his life to public works is an encouragement to the better class of young men all over the United States, and we need have no fear, ladies and gentlemen, as to our ability to send our best to the government of the colonies. After the Civil Service Commission had published the report from which I quoted a moment ago, I put myself in communication with President Schurman of the then Philippine Commission. I will read you only one of the first letters written:

" WASHINGTON, D. C., December 22, 1899.

" PROF. J. G. SCHURMAN,
 " President Philippine Commission,
 " Ithaca, N. Y.

" MY DEAR PRESIDENT SCHURMAN :

" I send herewith some notes on the application of civil service reform principles to our insular territories. It was my intention after conversation with you to go somewhat into detail as to the kind and character of tests that might be necessary for some of the various classes of positions, but I have, upon reflection, concluded that it would be wiser to confine this to general principles, leaving the details to be worked out afterwards. There are so many varying conditions to be met that it would be unwise to attempt at the outset the application of any hard and fast rules. The main point of importance is that the service shall be eliminated from the political influences incident to a

change of administration at home. If this cardinal principle is recognized I have no doubt that the intelligence and honesty of the people charged with the delicate tasks will work out the necessary methods. I give you these notes merely as suggestive, knowing that you can put them in better shape. I will send also copies of our Fourteenth and Fifteenth Reports, and will cause certain pages to be marked so that you can see, if you wish, what has been done by the National Commission in filling by examinations the many diversified positions throughout the United States, and can avail yourself of these reports. I deem it highly important to point out that an *examination* does not necessarily call for a scholastic examination, but that competitive tests may be held independently of mere scholastic tests.

"Very truly yours,
"JOHN R. PROCTER."

After the present Philippine Commission was appointed I had conferences with Judge Taft and afterwards with the entire Commission, and it was agreed that a man designated by the Civil Service Commission should go to aid in putting into operation civil-service rules in the Philippines. The chief of our examining division, Mr. Kiggins, who had much to do with the preparation of the rules, was made the first chief examiner of the Philippine Civil Service Board. One of the first laws inaugurated by the Taft Commission—the fifth law—was a law putting a rigid civil-service system in force in the Philippines; and because of the experience which the National Commission had had, seeing where the law needed to be strengthened, I may say that this law has very many improvements over the national law, so that in the Philippines they begin with a better law than the United States has secured after a struggle of a hundred years. If I remember rightly I believe that most of the differences between the two laws were pointed out in the paper read by Mr. Woodruff yesterday, and I do not want to take up too much time in going over the ground covered by his paper.

One main point is that there are fewer excepted places in the Philippines; and another point of very great importance is that these places, with very few exceptions, cease to be excepted after the expiration of the time of the present occupants; so that we can promise to the young men who go into that service a tenure for good behavior and efficient service, non-interference by politicians or by political changes at home, and promotion to the very highest grades. It is a most encouraging thing—and I think that you gentlemen, on

the twenty-first anniversary of your formation as a League, should congratulate yourselves upon the very great advances made in one point alone—that no politician, no newspaper and no person in the United States has raised a voice against the application of a rigid civil-service law to our insular possessions—and that could not have been possible before the work which you began 21 years ago. The Secretary of War in his last report makes this statement, which I believe to be absolutely true:

“No officer, high or low, has been appointed upon any one's request, or upon any personal, social, or political consideration.”

And he further states, which is very much more important:

“It is gratifying to be able to report that the members of both Houses of Congress and other gentlemen accustomed and entitled to be heard regarding appointments to office, without exception, upon becoming satisfied that the principles and methods or selection above stated were being applied in all cases without discrimination, have cheerfully acquiesced in and approved the course followed.”

And I know that all the positions filled even in the excepted class in the Philippines, have been filled either by transfer or promotion or by appointments made without regard to political or personal considerations. In the recent appointment of Fire Chief of Manila, although the position was an excepted one, the Commission was requested by cable to recommend an experienced man for the position, and after investigation it was decided to recommend Mr. Bonner, the former Chief under the Strong administration in New York. Mr. Bonner was appointed upon their recommendation.

No political consideration has weighed in sending any of the people who have been transferred from the Federal service. They have been selected wholly because of their ability to perform the task allotted.

I have the last report of the Philippine Commission, which has not yet been released for publication, and the Secretary of War kindly allowed me to bring that part of it relating to the application of the civil-service rules, and I have it here in order that I may possibly answer some of the questions which I think you may ask me.

Of course the Filipinos occupy the minor positions because of their lack of education. But the law requires that they shall

be preferred for appointment. This is not such a preference as is given in our veteran preference, where a man who gets an average of 65 is put at the top of the list. The certifications are made from the top of the list, and if a Filipino is on the certification he is to be preferred in appointments. Now, when I said in the report from which I quoted first a while ago that I believed the Americans were better trained to meet untried conditions than the people of England and Holland, I believed that we would institute a government in the islands not like the English government, not like that of Holland, but an American system which would be better than either, and I believe we are doing that. We have not done it, but we have laid the foundation. We have carried not only this preference to the Filipinos, but we have done what neither England nor Holland has ever done, we have carried the American public school system, in order to train the Filipinos for the service. This part of the report was written by a Filipino, as you will see from the language that it must have been written in Spanish and translated into English. He is the man who has taken the position on the Commission there vacated by Judge Arellano:

" American progressive business methods, the genius and spirit of American civil government, and the ruggedness and strength of the American (English) language are inseparable. The better knowledge of this language the Filipinos have the greater will be their opportunity for and possibility of usefulness in the Government service. The true idea of the merit system is the testing or determining of the character and the relative capacity and usefulness of those who would serve the Government. Advancement in education and American methods are insured by the splendid progress being made in English. It is taught in the public schools, both day and night sessions of which are attended by the younger generation of Filipinos hungering and thirsting for knowledge. As evidence of such progress, it is worthy to note that in a recent examination for junior typewriter, of which knowledge of the English language was a subject, over 50 per cent. of the Filipinos who entered the examination passed in that subject. The better they are prepared to perform various civil duties the better will they be fitted to participate with high aims and purposes in governmental affairs. An increase in the knowledge of the English language among Filipinos desiring to enter the civil service will facilitate the performance of Government work, and fewer interpreters will be needed, thus accomplishing a saving of both time and money."

Knowing that the American people wanted to do the best by the Filipinos, and that nothing could more advance them

than the opportunity to become acquainted with educational methods, I opened correspondence more than a year ago with the presidents of most of our great colleges; and I was most gratified by the result, for nearly all of them agreed to take a certain number of Filipinos free of tuition, and some of them said that they would go so far as to try to raise the money to pay their expenses while here. The Secretary of War agreed to give them free transportation to this country, and some of the railroads agreed, at my solicitation, to give them free transportation across the continent to the colleges. I wrote to Mr. Fred. W. Atkinson, General Superintendent of Public Instruction, at Manila, and received from him this letter, dated February 8, 1901:

"I greatly appreciate your efforts to further the very important matter of American education for the Filipinos. It is certainly a difficult matter; the Filipinos will not know enough English to enter our colleges. We are teaching English in the schools here, just as much as is possible with the existing conditions, and are making much use of evening schools for this purpose. Undoubtedly preparatory schools in the States will have to be found to fit these people for college. I doubt if we could find half a dozen Filipinos in the whole archipelago ready to enter college.

"My plan is to form a Philippine Educational Association, made up of people in the States who would be interested in this movement. I am hardly ready at this time to formulate the organization of such an association. Just as soon as I have things in shape I will write you more in detail. You may be sure in the selection of candidates we will exercise the greatest care."

A few of these have now arrived and have entered our colleges, and Professor Atkinson and the teachers who have gone over there are now working hard to prepare others not only to take advantage of this generous offer on the part of our colleges, but to prepare them so that they can pass successfully the civil service examinations to be held in the Philippines. And I may say in this connection that I have just recently learned that they have determined to classify the school service in the Philippines, and hereafter all teachers will be appointed upon a rigid examination. One very great improvement over the National law is that all the people occupying temporary positions, and all the people who were classified by the law, shall be put through a rigid examination in order to determine whether they shall be retained in the service; and that examination is now being held in the Phil-

ippine Islands, so that if there are any Americans who have been appointed there prior to the establishment of registration, and they fail to pass the examination prescribed by the Philippine Civil Service Board, they will have to give up their offices, and certifications will be made from the registers established.

There is one examination that Professor Lowell has been asking me about, that is, of Departmental Assistant. We held that throughout the United States. There were over 300 applicants, and 128 people passed. They are among the brightest we have ever succeeded in getting to pass examinations. They are the cream of some of our best colleges, and the papers have just about arrived at Manila. We have arranged a cable code, and I expect there will be a number of appointments made from that register at once.* We will continue to hold that class of examinations, and notify the colleges all over the land so that we can get the very choice young men to go into these examinations, with the assurance that if they perform faithfully and well their duties there they can be promoted even to Governors of provinces, or to any position in the islands. In addition to the hard basis examination which every man must pass, we have a lot of optionals. Each man is marked 100 on each of these optionals if perfect. They consist of: finance, civil engineering, sanitary science, agriculture, municipal administration, educational methods, chemistry, botany, mineralogy, forestry, theory and practice of statistics, and geology, and other subjects. A man may take as many of these optionals as he can, and he will be rated accordingly.

There was some delay in holding the examinations in Porto Rico because of a division in the Commission as to whether we had the right to admit the Porto Ricans as citizens. That has been settled, and the examinations ordered.

REMARKS OF PROF. A. LAWRENCE LOWELL, OF HARVARD UNIVERSITY.

I have not a paper to read, I should merely like to say a few words in comment of what Mr. Proctor has told us. To all of us interested in reform, this has been a year of jubilee.

* Since the delivery of this speech the Philippine Commission has been making appointments from this register, cabling such appointments from day to day.

Reform has come to us in a flood. There were certain people, wiser in their generation than the children of light, who prophesied that if we took the Philippines they would immediately become the prey of vast predatory corporations, and that so far as the civil service was concerned it would immediately become a carpet-bag regime. That, as we know, has not taken place. We have had civil service rules applied, as Mr. Proctor has told you, almost without a dissenting voice on the part of men in public life or newspapers. Such a thing has taken all of us by surprise. That civil service rules would be adopted in the Philippines many of us believed; that they would be applied without a struggle few of us dared to hope. As a matter of fact, the civil service rules have been started there at the highest point which they had reached in this country. If I am right, they are based upon the New York civil service rules, which were considered the last and most perfect form adopted here. Now, although we may start there at the point we have reached at home, we must not forget that we are confronted by a somewhat different problem from that which we have to meet here. We have to select a different class of officials.

The offices in any government service may be divided into three classes, and only a part of them are under our civil service rules here.

In the first place, there are the clerical and mechanical services. These classes are now under the civil service rules in this country to a great extent, and in the Philippines they have been put under the same kind of rules that we have here. The persons in them are now partly American and partly Filipino, but I suppose it is the hope of every one that these offices will, in time, be filled entirely by natives of the islands. They are perfectly competent for it, and as soon as they get a little education in the specific directions required, they ought to do all the work of this class. The examinations in that case, will then be held practically in Manila. At the present moment, for example, we are holding examinations for stenographers and typewriters here; but the time cannot be far off when we shall cease to hold such examinations here, and hold them only in the Philippines.

The second class includes those positions where special training is required, such as engineering. Most of these places

will probably have to be filled by men of American education for a long time to come.

The third class, and the one which has the greatest influence on the welfare of the dependencies, is that which has the direction of the central and local government of the islands. The authority of men in this position must be, to a great extent, discretionary; for I take it we are not going to try the bureaucratic colonial methods of Germany and France, which have certainly not been a success. Some of these officers will be provincial governors, and rule over large districts of country. In India, the so-called Collector-Magistrate governs districts containing a native population of several hundred thousand. The same thing is true of the Dutch Comptroller in Java. These men correspond, in fact, to the governors of our States, whom we choose by popular election. But, as far as we can see ahead, these officers can hardly be made elective in the Philippines. Self-government there, for the present, is likely to be limited to the selection of purely local officials, and for the present, at least, the service of which we are speaking must be recruited mainly, if not altogether, from America.

In making selections for it, it is important not only to get men of character, but of comprehensive views, whose discretion can be trusted; and for that reason it is necessary to get men of education. This is the more imperative, because a man who goes to the Philippines without an education, and is employed away from the capital, will find himself entirely remote from books, and in a position where he cannot educate himself by reading. When I first saw the rules for examination for this service I was disappointed, because the examination for Department Assistant, as it is called, did not appear to provide for bringing men of sound and high education into the service, but this impression has been removed by talking with Mr. Proctor.

There is nothing said in the rules as to the scope of the examination. It is practically left to the determination of the Commission. The first examination was held here last June, and at the same time in the Philippines. Nobody, I believe, passed satisfactorily there, but some one hundred and twenty men passed here, and Mr. Proctor has told you the class of men who succeeded. They were largely college graduates, and this is the best possible material to have. There is,

of course, in this country a class of men (of whom Franklin is the great type) who get their education by themselves, but with the enormously increased facilities for obtaining college scholarships that class will be a constantly diminishing fraction of the community. It is more and more the tendency for all men who have the prosperity of their sons at heart to send them to college, and it is decidedly to be hoped that the Commission will arrange their examinations in such a way as to secure a large proportion of college graduates. Certain subjects are now required, such as History, Geography, Political Institutions, Mathematics, etc. There are also a number of options, and it is to be hoped that the marks obtained on these will be counted in determining a man's general rank in the examination for Department Assistant, and that the list of options will be so extended as to give any bright, ambitious, promising college man a chance to enter the service. What we want is to recruit young men who would otherwise enter the law, medicine, business, or some other career, and it would be of advantage to have the examinations so arranged that any college man of high standing might apply with the chance of getting a place.

I think the Commission is absolutely right in not giving the men selected a previous preparation in this country. The experiment of an elaborate preparation has been tried in Holland, for the service in Java, found a failure, and given up. What a man can learn here about the Philippine Islands in a year will not be equivalent to what can be learned there in six weeks.

Two years ago I advocated the establishment of a training school for the colonial service modelled upon West Point and Annapolis. I urged this because I did not believe it would be possible to maintain a system of which practically the standard for entrance would be equivalent to a college degree. But if it is possible to maintain such a system, I should be glad to withdraw my suggestion in its favor.

But, as I have said, the nature of the examination depends really not upon the rules, but upon the Commission which is to execute them. A Commission could run the standard down until an entirely different class of men were obtained, or gradually work it up so as to bring in only the highest class of candidates. We know that the present Commission have a

desire to send to the Philippines men of the best class which the country affords. We are fortunate in knowing that this Commission is in office for at least three years. They will have at least three years in which to establish a tradition, and I hope they will establish it on such a firm basis that it can never be broken down.

ORGANIZATION
OF THE
National Civil-Service Reform League.

CONSTITUTION

[REVISED DECEMBER 13, 1900.]

ARTICLE I.

The name of this organization shall be the National Civil Service Reform League.

ARTICLE II.

The object of the Civil Service Reform League shall be to promote the purposes and to facilitate the correspondence and united action of the Civil Service Reform Associations, and generally to advance the cause of Civil Service Reform in the United States.

ARTICLE III.

The League shall consist of all the Civil Service Reform Associations in the United States which signify their willingness to become members thereof. Any such association hereafter expressing such willingness shall become a member of the League upon its being accepted as such by the League or the Council. Any member of any such association, and any individual specially invited by the Council, may be present at any meeting of the League and take part in the debates or discussions subject to such restrictions, if any, as the By-Laws may prescribe. The Council may in its discretion invite representatives of any other Society or organization to take part in any designated meeting of the League.

With the approval of the Council the Secretary may organize Correspondence Committees, of not less than three members, for the promotion of the work of the League in localities where there is no Civil Service Reform Association; the members of such Committees shall have the same status at the meetings of the League as the members of a Civil Service Reform Association.

ARTICLE IV.

At any meeting of the League all questions shall be decided by a majority vote of the individuals present and entitled to take part in the proceedings, unless a majority of the representatives of any association shall demand a vote by associations, in which case each association represented shall be entitled to one vote, which vote shall be cast by the delegates from such association present at such meeting or by a majority of them.

ARTICLE V.

The officers of the League shall be a President, a Secretary, and an Assistant-Secretary, and a Treasurer, who shall discharge the usual duties of such officers, and not less than ten Vice-Presidents; and there shall be a Council, to be constituted as hereinafter provided. The said officers and Council shall hold office until their respective successors are chosen.

ARTICLE VI.

The President and Vice-Presidents shall be elected by ballot at the Annual Meeting of the League.

The Secretary, Assistant-Secretary and Treasurer shall be chosen, and may be removed by the Council.

The Council shall be elected by the League at the annual meeting, and shall consist of at least thirty members, of whom there shall be at least one member from each Association belonging to the League. Ten members of the Council shall be a quorum.

The officers of the League, except the Vice-Presidents, shall be *ex-officio* members of the Council, and either the League or the Council itself may from time to time elect additional members to hold office until the annual meeting next following. Any member of the Council may act by proxy.

The Council shall elect its own chairman. It shall keep a record of its own proceedings and shall make a report to the League at the annual meeting. A vacancy in any office except that of Vice-President may be filled by the Council until the annual meeting next following.

ARTICLE VII.

The Council may, subject to these articles, manage the affairs of the League, direct and dispose of the funds and, from time to time, make and modify By-Laws for the League and for its own action.

No debt shall be contracted by the League or by the Council beyond the amount in the hands of the Treasurer.

ARTICLE VIII.

There shall be an Annual Meeting of the League at such time in each year, and at such place as the council may determine, at which officers shall be elected for the ensuing year, and other appropriate business may be transacted.

A special meeting of the League may be called at the discretion of the Council, or of the President, at any time, upon at least ten days' notice to be given by the Secretary.

ARTICLE IX.

Any provision of this Constitution may be suspended or amended by a vote of two-thirds of the members, or of the Associations, if a vote by Associations be demanded, present at a meeting of the League, due notice of such proposed suspension or amendment having been given at a previous meeting of the League, or of the Council.

BY-LAWS.

[ADOPTED BY THE COUNCIL JANUARY 18, 1901.]

§ 1. The annual meeting of the League shall be held at such time and place, in each year, as the Council may determine.

§ 2. At least three meetings of the Council shall be held in each year, one of which shall be as soon after the annual meeting of the League as may be practicable, and the others at such times and places as may be fixed by its Chairman. Special meetings may be called at any time by its Chairman or by the President of the League, and shall be called by the Secretary upon the written request of any five members.

§ 3. The Council shall elect its Chairman and the Secretary, Treasurer and Assistant Secretary of the League, at its meeting next succeeding each annual meeting of the League.

§ 4. At each meeting of the Council it shall be the duty of the Treasurer to make a statement of the amount of money in the treasury, and of the place of its deposit, and at the annual meeting of the League he shall state the sources of all moneys received, and set forth in detail all expenditures made, during the year.

§ 5. The order of business at each meeting of the Council shall be:

1. The reading and correction of the minutes of the last meeting.

And thereafter, unless otherwise ordered, as follows:

2. The admission of new Associations.
3. Statement of the Treasurer.
4. Report from the office of the Secretary.
5. Reports of Standing Committees.
6. Reports of Special Committees.
7. Miscellaneous business.

§ 6. There shall be the following Standing Committees to be annually appointed as the Council shall direct:

(1) A Committee on Finance, to consist of not less than nine members;

(2) A Committee on Publication, to consist of at least three members; and, *ex-officio*, the Secretary and the President of the League; and

(3) A Committee on Law, to consist of at least four members, and, *ex-officio*, the Chairman of the Council.

These Committees shall discharge the duties appropriate to their respective titles; vacancies occurring in any one of them may be filled by the Chairman of the Council.

§ 7. The following Special Committees shall be appointed as the Council shall direct, and discharged at the conclusion of the annual meeting of the League, next following:

(1) A Committee on Nominations, to consist of six members and, *ex-officio*, the Chairman of the Council.

(2) A Committee on Resolutions, to consist of six members, and, *ex-officio*, the President of the League.

These two Committees shall submit their reports at a meeting of the Council immediately preceding the annual meeting of the League.

(3) A Committee on Report and Programme, to consist of two members, and, *ex-officio*, the President of the League, the Chairman of the Council and the Secretary; a part of whose duty shall be to prepare for consideration by the Council, the draft of the annual report required by Article VI of the Constitution.

§ 8. These By-Laws may be amended at any meeting of the Council by a unanimous vote of the members present, or by the vote of a majority of such members, provided that, in the latter event, notice of the contemplated amendment shall have been given in the call of the meeting.







PROCEEDINGS

AT THE ANNUAL MEETING OF

THE NATIONAL CIVIL-SERVICE REFORM LEAGUE

HELD AT

PHILADELPHIA, PA., DEC. 11 AND 12, 1902.

WITH THE REPORTS AND PAPERS READ

AND OTHER MATTERS.

PUBLISHED FOR THE
NATIONAL CIVIL-SERVICE REFORM LEAGUE.
NEW YORK.
1902.



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ANNUAL MEETING

OF THE

NATIONAL CIVIL SERVICE REFORM LEAGUE.

DECEMBER 11 AND 12, 1902.

PURSUANT to call, duly issued, the twenty-second annual meeting of the National Civil Service Reform League was held at Philadelphia, Pa., on the 11th and 12th of December, 1902. The delegates from Civil Service Reform Associations in attendance during the several sessions were the following:

BUFFALO: Henry A. Richmond.

CAMBRIDGE: John Read, Richard H. Dana

CHICAGO: John W. Ela, C. R. Crane.

CONNECTICUT: Henry W. Farnam, George L. Fox, William A. Aiken.

DISTRICT OF COLUMBIA: John Joy Edson.

INDIANA: Harry J. Milligan.

MARYLAND: Daniel C. Gilman, Charles J. Bonaparte, Cleveland P. Manning, William F. Thomas, A. M. Elliott, J. W. Lawford, R. Ramsay, George R. Gaither, Reuben Foster, Olin Bryan, P. H. Tuck, John S. Wirt, John C. Rose, W. I. Dawkins, Theodore Marburg, George Frame, E. H. Ingle, Summerfield Baldwin, C. H. Hessee, D. C. Woods, Robert Garrett, V. G. Bloede, R. F. Gundle, Henry Lingensfelder, W. B. Trundle, G. W. Gail, George Reuling, Julian L. R. White, William H. Perkins, W. A. Hanway, Walter B. Platt, W. H. Adkins, Robert I. Carter, Henry M. Hurd, A. H. Taylor, W. G. Bowdoin, L. A. Wilmer, J. A. Dobler, J. H. Hollander, Isaac Brooks, Jr., George Fawcett, Thomas Shearer, William Martien, A. G. Brown, Preston B. Spring,

Thomas S. Cullen, D. W. Hopper, M. A. Mullin, William Reynolds, Rev. C. E. Guthrie, George A. Pope, H. B. Jacobs, Kirby Flower Smith, C. Nitze, G. William Sattler, Arthur P. Shanklin, Daniel R. McGruder, T. E. Carson, Edgar G. Miller.

WOMEN'S AUXILIARY OF MARYLAND: Mrs. C. J. Bonaparte, Miss A. Gilman, Mrs. Dixon, Mrs. Van Sickle, Mrs. Rieman, Miss Warfield, Mrs. Rose, Mrs. Harris, Miss Fowler, Miss Manley, Mrs. Hurd, Mrs. G. H. Williams, Mrs. G. Sadtler, Miss Sadtler, Miss Miller, Mrs. Thomas Hill, Mrs. G. H. Gail, Mrs. George Frame, Mrs. William Kerr, Mrs. Charles Lord, Mrs. Summerfield Baldwin, Mrs. B. C. Corkran, Mrs. Reuben Foster, Mrs. Charles Gambrill, Miss Sarah Haydock, Mrs. William Hull, Mrs. A. Leo Knott, Mrs. Kirby F. Smith.

MASSACHUSETTS: W. W. Vaughan, Charles S. Thurston, R. H. Dana, Sinclair Kennedy, Samuel Y. Nash, H. W. Chaplin, William Simes, R. B. Sprague.

WOMEN'S AUXILIARY OF MASSACHUSETTS: Mrs. William Endicott, Jr., Mrs. R. B. Sprague.

NEW YORK: H. A. Rogers, William G. Low, Stephen Perry Sturges, R. W. Gilder, Frank L. Babbott, S. Carman Harriot, Charles Oakes, William F. Moss, J. Meyer, F. O. Affeld, T. M. Osborne, Samuel P. Avery, Theron G. Strong, William Brookfield, Rev. Frederick B. Carter, Hamilton B. Tompkins, C. H. Allen, George T. Lyman, Payson Merrill, Silas W. Burt, Elliot H. Goodwin, Henry G. Chapman, George McAneny, George R. Bishop, Edward Cary, John M. Gitterman, Virginius Newton, Charles W. Watson.

WOMEN'S AUXILIARY OF NEW YORK: Miss Florence Harriot, Miss E. L. Cary, Miss Elizabeth M. Sharpe, Mrs. Henry G. Chapman, Mrs. T. G. Strong.

PENNSYLVANIA: John Field, Porter F. Cope, Henry L. Davis, Herbert Welsh, Rev. Leverett Bradley, Mrs. Bradley, William W. Justice, Henry C. Niles, Edward R. Strawbridge, Clarence L. Harper, Walter Wood, Stephen B. Foterall, A. W. Kelsey, Frank P. Pritchard, George Woodward, John J. Pinkerton, Rev. Oscar B. Hawes, Albert B. Williams, Joshua Bailey, Miss Burnham, Charles S. Wood, A. R. Mont-

gomery, George Burnham, Jr., Francis Olcott Allen, William Burnham, W. W. Montgomery, George Wood, M. N. Kline, W. C. Alderson, Charles Chauncey, William D. Neilson, John B. Roberts, Louis B. Runk, Charles Brindley, R. Blankenburg, William Ellis Scull, Charles Richardson, Mrs. William F. Jenks, Charles E. Pancoast, William Kirkbride, Neville B. Craig, William H. Futrell, Charles E. Cadwalder, Theodore M. Etting, George M. Newhall, Thomas S. Williams, J. H. Dulles Allen, Heatley C. Dulles, W. E. Jackson, Harry B. French, Theodore N. Ely, Stuart Wood, Miss Lucy Davis, Dimner Beeber, Lewis J. Lautenbach, James MacAllister, Clinton Rogers Woodruff, Mrs. Woodruff, Philip G. Garrett, A. K. McClure, Max Livingston, George G. Mercer, R. Francis Wood, Mrs. R. H. Harte, Solomon Blumenthal, Samuel S. Fels, Henry H. Collins, D. A. Waters, C. N. Pierce, Edward S. Sayres, Robert D. Jenks, W. W. Montgomery, Jr., Henry Wolf Bikle, Wayne MacVeagh, Most Rev. P. J. Ryan, Joseph G. Rosengarten, I. J. Wistar.

In response to invitations issued by the League to Municipal Reform organizations, and to other bodies interested in the reform of the civil service, delegates were present from a number of such organizations, as follows:

ARUNDEL GOOD GOVERNMENT CLUB OF BALTIMORE: Miss Julia R. Rogers, Miss Alice Gilman.

BRYN MAWR COLLEGE: Miss Sarah Henry Stites, Miss Mabel Atkinson, Miss Dorothea Day, Miss Eleanor Deming, Miss Eunice Follandbee, Miss Linda Lange, Miss Alice Carter, Miss Dora Keen, Miss Elizabeth Kirkbride, Miss Margaretta Morris.

CENTRAL HIGH SCHOOL OF PHILADELPHIA: A.W. Schick, J. C. Mendenhall, C. H. Haring.

CENTRAL MANUAL TRAINING SCHOOL OF PHILADELPHIA: J. Frank Greathead, Albert W. Howland, Mark J. Ingle, Charles F. Bauder, Louis C. Smith.

CIVIC CLUB, PHILADELPHIA: Mrs. Charles Richardson, Mrs. Imogen B. Oakley.

DISTRICT OF COLUMBIA CHRISTIAN ENDEAVOR UNION: Rev. Charles H. Butler.

DREXEL INSTITUTE: J. L. Stone, Arthur McKnight, E. P. Braun, D. O. Hales, Earle Rittenhouse, Lee Armstrong, Miss Georgetta Witter, Miss Laura E. Wagner, Miss Isabel Hunter, Miss Jane Evans.

HAVERFORD COLLEGE: A. J. Phillips, Irving White, E. N. Robinowitz, W. T. Hilles, H. W. Thorn, C. R. Cornman, S. C. Withers, W. M. Wills, A. W. Kratz, W. P. Bonbright.

HIGH SCHOOL FOR GIRLS, PHILADELPHIA: Miss Eleanor Solis-Cohen, Miss Helen H. Large, Miss Selma Strauss, Miss Clara V. Blanton, Miss Edith Miller.

MINNESOTA FEDERATION OF WOMEN'S CLUBS: Mrs. Lydia P. Williams.

MUNICIPAL ART SOCIETY OF BALTIMORE: Oscar Leser.

MUNICIPAL ASSOCIATION OF CLEVELAND: Harry A. Garfield, F. E. Stevens.

MUNICIPAL LEAGUE OF PHILADELPHIA: George Burnham, Jr., Hector McIntosh.

NORTH CAPITOL AND ECKINGTON CITIZENS ASSOCIATION: William G. Henderson, A. Ralph Serven.

NORTHEAST MANUAL TRAINING SCHOOL OF PHILADELPHIA: T. Willard Stone, George L. Styer, William T. Burns, Edward J. Tournier, W. Winfield Downey, W. S. Nicholl.

PEOPLE'S INSTITUTE, NEW YORK: Charles Sprague Smith.

PHILADELPHIA NORMAL SCHOOL FOR GIRLS: Miss May Bolger, Miss Bessie G. Hanley, Miss Wilhelmina Mampe, Miss Alice Shock, Miss Anna Grace Willetts.

URSINUS COLLEGE: Charles Groves Haines.

WASHINGTON BOARD OF TRADE: Thomas W. Smith, A. Ralph Serven, W. V. Cox.

Among the invited guests attending the annual meeting of the League were Professor L. S. Rowe, of the University of Pennsylvania; Professor Lucy M. Salmon, of Vassar College; Mrs. Harry J. Milligan, of Indianapolis; George Walter Smith, Esq., of Philadelphia; Rev. Floyd W. Tompkins, of Philadelphia; Senor Fredrico Degetau, Delegate to Congress from Porto Rico; Hon. William H. Fleming, of Georgia; Mr. Frank M. Kiggins, late Chairman of the Philippine Civil Service Commission, of Washington; Mr. John C. Birdseye and Mr. Charles S. Fowler, of Albany.

MEETINGS OF THE LEAGUE.

THE headquarters of the League during the period of the meeting were at the Hotel Walton, corner of Broad and Locust Streets. The morning of December 11th was occupied by a meeting of the Council. The proceedings at the several general sessions of the League, commencing on the afternoon of December 11th, were as follows:

FIRST SESSION.

GRIFFITH HALL,

THURSDAY AFTERNOON, DECEMBER 11.

THE League convened at 2.30 P. M., the President, Dr. Daniel C. Gilman, in the chair.

The minutes of the last annual meeting having been printed and distributed, the reading of the same was omitted.

The annual report of the Council was presented and read by Charles J. Bonaparte, of Maryland, Chairman of the Council.* It was moved that the report be accepted, and that it be printed with the proceedings of the meeting. The motion was unanimously carried.

The report of the Committee on the Civil Service in Dependencies, was presented and read by the chairman of that Committee, Clinton Rogers Woodruff of Philadelphia. It was moved that the report be accepted and printed in the proceedings. The motion was unanimously carried.

The President then introduced Professor L. S. Rowe, of the University of Pennsylvania and late Chairman of the Com-

*Printed in full at page 28.

mission to revise the laws of Porto Rico, who read a paper on the Civil Service in Porto Rico.

The President then introduced Mr. Elliot H. Goodwin, Secretary of the League, who read a paper on The Practicality of Promotion through Competition.†

The President then introduced Dr. H. O. Reik, Secretary of the Civil Service Reform Association of Maryland, who read a paper on The Spoils System and the Merit System in the Public Schools of a Great City.‡

The order of discussion and miscellaneous business having been reached, Mr. Chaplin, of Massachusetts, criticised the views expressed in Professor Rowe's paper as to the advisability of permitting appointments from any part of the eligible list in the civil service in Porto Rico. Professor Rowe, Mr. Dana, Colonel Burt and Mr. Bonaparte took part in the discussion which followed.

The session then adjourned.

SECOND SESSION.

HORTICULTURAL HALL,

THURSDAY EVENING, DECEMBER 11.

AT 8.00 o'clock, on the evening of December 11th, the second session of the League was held at Horticultural Hall, Philadelphia. Mr. John Field, the President of the Pennsylvania Association, introduced Dr. Daniel C. Gilman, President of the League, who made an address.§

Papers were presented by Mr. Charles Richardson, of Philadelphia, Vice-President of the National Municipal League, on The Spoils System in Philadelphia,|| and by Mr. George McAneny, of New York, on The Merit System as an Element in the Reform of the New York City Police Department.¶

†Printed in full at page 65.

‡Printed in full at page 74.

§Printed in full at page 47.

||Printed in full at page 84.

¶Printed in full at page 91.

The paper on The Reform of the Consular Service, prepared by the Hon. Carl Schurz, was read by Mr. Richard Henry Dana, of Massachusetts.*

At the close of the session, Mr. Charles J. Bonaparte, of Maryland, made a few remarks.

The session then adjourned.

THIRD SESSION.

GRIFFITH HALL,

FRIDAY MORNING, DECEMBER 12.

THE League reconvened at 10 A. M., President Gilman in the chair.

The President introduced General Aiken, who presented the report for the Committee on Nominations, as follows:

FOR PRESIDENT :

Daniel Coit Gilman,	. . .	Baltimore.
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FOR VICE-PRESIDENTS :

Charles Francis Adams,	. . .	Boston.
Joseph H. Choate,	. . .	New York.
Grover Cleveland,	. . .	Princeton.
Charles W. Eliot,	. . .	Cambridge.
Harry A. Garfield,	. . .	Cleveland.
Arthur T. Hadley,	. . .	New Haven.
Henry Charles Lea,	. . .	Philadelphia.
Seth Low,	. . .	New York.
Franklin MacVeagh,	. . .	Chicago.
George A. Pope,	. . .	Baltimore.
Henry C. Potter, D. D.,	. . .	New York,
P. J. Ryan, D. D.,	. . .	Philadelphia.

FOR MEMBERS OF THE COUNCIL :

William A. Aiken,	. . .	Norwich, Ct.
Charles J. Bonaparte,	. . .	Baltimore.
Silas W. Burt,	. . .	New York.
Edward Cary,	. . .	"
Charles Collins,	. . .	"
Richard Henry Dana,	. . .	Boston.
John Joy Edson,	. . .	Washington.
John W. Ela,	. . .	Chicago.
Henry W. Farnam,	. . .	New Haven.
Richard Watson Gilder,	. . .	New York.

*Printed in full at page 104.

H. Barton Jacobs,	.	.	.	Baltimore.
William G. Low,	.	.	.	New York.
George McAneny,	.	.	.	"
Samuel H. Ordway,	.	.	.	"
William Potts,	.	.	.	"
H. O. Reik,	.	.	.	Baltimore.
Charles Richardson,	.	.	.	Philadelphia.
Henry A. Richmond,	.	.	.	Buffalo.
Carl Schurz,	.	.	.	New York.
Edward M. Shepard,	.	.	.	"
F. L. Siddons,	.	.	.	Washington.
Moorfield Storey,	.	.	.	Boston.
Lucius B. Swift,	.	.	.	Indianapolis.
Henry VanKleeck,	.	.	.	Denver.
W. W. Vaughan,	.	.	.	Boston.
Herbert Welsh,	.	.	.	Philadelphia.
Everett P. Wheeler,	.	.	.	New York.
Charles B. Wilby,	.	.	.	Cincinnati.
Ansley Wilcox,	.	.	.	Buffalo.
R. Francis Wood,	.	.	.	Philadelphia.
Clinton Rogers Woodruff,	.	.	.	"
Morrill Wyman, Jr.,	.	.	.	Cambridge.

General Aiken moved that the election be proceeded with and that the Secretary be directed to cast one ballot for the election of the gentlemen nominated for President, Vice-Presidents and members of the Council. The motion was unanimously carried. The Secretary cast the ballot and the President announced the election of the ticket as read.

Mr. Bonaparte, on behalf of the Council, offered the following resolution in regard to the death of Henry Hitchcock, of Missouri:

"In the death of Henry Hitchcock, of Missouri, one of its Vice-Presidents, the League has lost a valued officer, a faithful and efficient member of its governing board, and one of the earliest and most zealous friends of its cause. In memory of his services for the advancement of good government, his virtues as a citizen and a man, and his many sacrifices of time and interest to promote its ends, the League now places among its records an expression of the profound sorrow caused to all its members by the loss of so old and tried a comrade in its good fight."

The reading of the resolution was followed by remarks by the President, Mr. Low and Colonel Burt. General Aiken moved that the vote, when taken, should be a rising vote. The motion was adopted and the resolution unanimously approved by a rising vote.

The secretary read the annual report of the Treasurer* and Mr. Wood, for the Auditing Committee, submitted the following report:

"The Committee appointed to audit the account of the Treasurer report that they have vouched the account and find it correct. They find a balance on hand, after allowing for checks still out and one voucher not yet received, amounting to \$741.39, the amount reported by the Treasurer."

R. FRANCIS WOOD,
W. W. VAUGHAN,

Auditing Committee.

On motion, the reports of the Treasurer and Auditing Committee were received and placed on file.

The order of reports from local associations having been reached, the President called on Colonel John W. Ela, of Chicago.

Colonel Ela for the Chicago League:

The Chicago Civil Service Commission has held this year 53 original entrance examinations and 19 promotion examinations.

The Commission has held 49 trials of officers and employees, upon written charges, hearing testimony on both sides and resulting in the discharge of 20 from the service, the discipline of 19, and the acquittal of 8.

The Police Trial Board,—which is composed of two of the Commissioners and one Inspector of Police, and which sits weekly for trials—has, since January 1st, discharged 14 policemen from the service, fined 127 and found 161 not guilty.

The Fire Trial Board—which is composed of the Fire Marshals and a representative of the Commission, and which also holds weekly trials—has discharged 2 firemen, disciplined 57 and acquitted 3. These two Boards were established by the Commission, and their decisions must be affirmed by the Commission.

The Commission is taking advantage of every opportunity to increase the number of promotion examinations, realizing the benefit to the service of establishing in the mind of every employee the assurance that efficient work in the lower position will advance him to higher rank and pay. We have therefore introduced, gradually, a system by which each man's efficiency in the position he has been occupying is being recorded daily, and valued and marked as the chief factor in the promotion examinations. This system is now in operation in all the departments except the Fire Department and the Commission is preparing the forms of efficiency records applicable to that department.

The Commission has issued, recently, instructions reminding the

*Printed in full at page 27.

markers that 90 means "good," and that the margin between 90 and 100 provides a place for marking extra meritorious work or conduct, and directing that in every case when a man is marked more than 90, the act or conduct which entitles him to such extra mark shall be described in his daily sheet, and the sheet attached to the monthly report sent to the Commission.

The fact that the men have opportunity to examine their records every day and to object, and appeal to the superior officer and to the Commission, if the marking is claimed to be wrong, seems to fairly safeguard the reliability and good faith of the marking. Few complaints are now made, and in the examinations held since these sheets were introduced the results are satisfactory.

When the Supreme Court decided that the Board of Education was covered by the Civil Service Act that Board found itself in the condition of having a large corps of employees who had been appointed after the passage of the Act, but without examination, and had been at work about three years, in different grades. In order to permit the employees to take the examination for their places, and because it was not practicable to fill the positions gradually by promotion examination from grade to grade, the Commission—as then constituted—held general examinations for a large number of engineers, janitors, etc., without distinction as to grade. Those who passed were certified to the Board and assigned by the Board as it saw fit, although the salaries differed widely. As a result there had been no promotion examinations in those positions. The Board made the promotions in its discretion, which, however sound the discretion may have been, was unfortunately not quite along the lines of the Merit System.

In the last few months, after some controversy the Commission has made and enforced orders providing that no promotions shall be made in that service except under the promotion examinations of the Commission, and no transfers except by the consent of the Commission. These orders are now being complied with, and without friction, and the efficiency system is also being operated by the Board.

The Courts still seem to be favorable to the decisions of the Commission, for which credit is due the Corporation Counsel and his assistants. The Appellate Court, a few days ago, decided—as the Commission has often ruled—that only those who have taken the civil service examinations are protected from summary discharge.

The movement for a State Civil Service Law, to which I alluded last year, has crystallized into a non-partisan organization, with membership throughout the State, which probably will procure the passage of such a law by the Legislature this Winter. Both political parties this Fall declared for a State Civil Service Law, the Democrats including a County Law.

The Commission is claiming no credit in this connection, but when the citizens of a city make a practically unanimous demand that the provisions of a reform law under which they have been living for seven years be extended over the whole State, we are permitting ourselves the luxury of assuming that, notwithstanding the vicissitudes which the Merit System has encountered throughout its troubled history in Chicago, the balance is still on the right side of the account.

Mr. Henry A. Richmond, for the Buffalo Association :

Mayor Knight has reduced the number of the local civil service commission from fifteen to seven. This action was endorsed by the Executive Committee of the Association.

The Board of Supervisors of Erie County claimed that certain positions in the county service were in the unclassified list. They held that as the Board of Supervisors made the appointments the positions were legislative and therefore, by law, unclassified. The Civil Service Reform Association took issue on that proposition, and brought action to enjoin the payment of the salaries of these officials. The court sustained the position taken by the Association. The County has taken an appeal. The application of civil service reform rules for examination of teachers in the public schools of this city, has produced highly satisfactory results. As years pass away, the benefits of the system are more and more apparent, and any attempt to get back to the old Spoils System would be overwhelmingly defeated.

Mr. Henry G. Chapman, for the New York Association :

In the State service our principal work has been to prevent legislation designed to undermine the Civil Service Law. The bills which we have opposed fall into the following classes :

(1) Bills to extend a preference to the veterans of the Spanish War ; (2) to permit a review by the courts of the cause of the removal of employees ; (3) to permit appointments from any part of the eligible list where choice should be confined to the first three names ; (4) to provide for the payment of salaries to persons illegally appointed or retained in the service ; (5) to exempt veterans of the Civil War from the probationary period of service ; (6) to reinstate persons who had been illegally appointed ; (7) to reinstate policemen and firemen who had been discharged for cause ; (8) to suspend the municipal civil service rules.

In every case where there was anything objectionable in a bill, this Association lodged a protest either with the committee that had the bill in charge, or with the Governor, or with the Mayor. Few of the bills to which we objected passed the Legislature, and none of those which came before the Mayor for signature were approved by him. Of the objectionable bills which went directly to the Governor, three were signed and became laws. The worst of these was the Ellsworth bill, which provides that veterans of the Civil War, when certified for appointment, shall receive a permanent appointment at once, and shall not be required to serve a term of probation. Great care was taken that the Governor should be made conversant with the bad precedents created by this bill and the injury its passage would work to the civil service system ; nevertheless the Governor gave his signature to this bill, and the only reason that can be assigned for his doing so is that the veterans are considered an important political factor and are always the pets of politicians.

More lately, the Governor, in answer to our letter asking him to define his status on the Civil Service Law, has said that he thoroughly believes in the Civil Service Law.

The State Commission has, throughout this year, upheld in the main the principles of the competitive system. Much pressure has been brought to bear upon them, not only from New York, but from Buffalo, to create exemptions for the purpose of affording patronage. Sometimes they have refused ; sometimes they have acquiesced ; but in all cases this Association has filed its protest against the weakening of the law.

It would hardly be possible here to go into the details of the particular cases.

In New York City, the change of administration and the adoption of a new charter on the first of January of this year, created complications which gave our New York Association a great deal of work. Many changes had to be made in the rules which were really necessary to bring the office forces of the various departments into line with the requirements of the new charter, and the heads of many departments took occasion to ask for the exemption from examination of places in their offices which this Association believed could perfectly well have been filled by competition. In all cases such requests have been fought before the Mayor, before the Municipal Commission, and before the State Board.

The Association has not been successful in all cases ; but in some cases it has been able to prevent the proposed exemptions ; and in any event we can say that by having obtained from the Mayor and the Municipal Commission the privilege of a public hearing on all proposed exemptions, we have been able to make public the facts of each case, and have thus rendered it impossible for exemptions to be slipped through unbeknownst, and have made it very difficult for new exemptions to be created.

For the first three months of the administration we watched with interest what we expected to be the reformatory work of a so-called Reform Administration. We were disappointed. At the same time we recognized the difficulties which the adoption of the new charter put in the way of the new administration, and while we continually pointed out the defects in the administration of the law, we did not openly throw much blame upon the Municipal Commission. But delays in examinations occurred, the heads of departments were tied up for want of men which the Commission failed to furnish. Examinations dragged, papers were not marked, and many complaints were made of the way in which the Commission was handling its work. This Association then sent a committee to the Mayor, and Mr. Deming spoke most convincingly and at some length to Mr. Low, and explained to him in a friendly though official way what the troubles were. Mr. Low said that he would take the matter under consideration, and announced that radical changes were to be made. But no such changes were made, and through the summer no especial improvement occurred.

This autumn the Executive Committee of the Association appointed a sub-committee of eight to investigate thoroughly the way in which the Commission conducted its work. That Committee made its report in November, and on the first of December an open letter of the Executive Committee as a whole was sent to the Mayor, and at the same time to the press. The following definite charges were made :

That the Commission, by its inefficiency, had seriously embarrassed the other departments of the City, and obstructed the conduct of public business. This charge was substantiated by facts set forth in the letter.

Another charge made by the Committee was that the system of examiners which the Commission found when they went in, and which provided for the employment of many outside examiners, was fundamentally wrong; that the Association had many times pointed out the evils of this system, but that the Commission had done nothing radical in the way of abolishing it.

The Committee also charged the Municipal Board that the administration of the law had under it been not only slow but expensive and clumsy. It pointed out that the Commission had invited a flood of appeals from the markings of its examiners, and had adopted the practice of granting appeals on the flimsiest grounds.

The reason for objecting to the consideration of these appeals on the part of the Commission is that when a candidate who has failed to pass an examination puts in his appeal, his identity becomes known and, if he is re-rated, his mark is no longer entirely unprejudiced, as it is in the case of the candidates whose identity is not known, but it is based on all the subsequent facts which the Committee of Appeals has learned about him. As a matter of fact, these re-ratings have caused great disgruntlement on the part of prejudiced candidates on the eligible list, and in less than fifty such re-ratings more than 1,450 candidates already on the eligible list were prejudiced.

I cannot do better than to quote one or two paragraphs of the letter of the Executive Committee:

"Where re-rating is proper, because of incompetent or careless examiners, the remedy is obvious. The remedy is no less obvious when the re-rating is made by the Commission itself upon such frivolous grounds as those we have cited, and we have not exhausted the instances. Such re-rating is not only an abuse in itself, it is an injustice to all candidates who are not re-rated. Naturally, they attribute the result to 'influence'; and why not, when the results attained are precisely those which 'influence' would attempt to secure, and, if a civil service commission were open to 'influence,' would secure?

"The Commission has not only shown its lack of confidence in its own methods, but it has largely lost the confidence of the public, and especially of those willing to seek positions in the public service through open competitive methods. To preserve public confidence in the fairness and impartiality of civil service examinations, it is fundamental that the identity of the candidate should not be known to the person charged with the responsibility of passing upon his work. After the identity of the candidate has been disclosed many of the vicious influences, which characterize the 'Spoils System' in determining appointments, at once find opportunity for exercise; and it is naturally difficult for the public to believe that such influences are not exercised, when the candidate, who, before his identity was known, stood low on the eligible list, or had been unable to reach it, is, after his identity is disclosed, re-rated upon the same papers so as to be advanced over the heads of scores of

applicants who received their ratings under strict civil service rules. Let there be a few such instances, and the disinterested observer begins to doubt the fairness and impartiality of the Commission. If there be many such, one can retain his confidence in the Commission's fairness only at the cost of losing his confidence in its administrative efficiency.

"Our watchful interest in, and close observation of, civil service law administration enabled us both to realize and to appreciate at their true worth the difficulties that confronted the present Municipal Civil Service Commission when it entered upon its duties. Although, no doubt, they were great, we think that too much stress has been laid upon the difficulties of the situation, and too little upon its great opportunities. This Commission has larger powers than any of its predecessors and it has a more numerous membership, thus making possible subdivision of labor and the systematizing of effort. It was clothed with ample authority to investigate the condition of the public service in any and every department of the city government, to expose abuses and devise proper remedies. We do not think the Commission has adequately met its opportunities. We are far from impugning the Commission's good intentions. But intentions, however good, are not a satisfactory substitute for good administration.

"To write this letter has been a painful duty. Its purpose is to express some of the reasons calling for a prompt and great improvement in the efficiency of the local administration of the civil service law, and to make clear alike to the friends and the foes of the cause of civil service reform that the failures of the present Commission are simply administrative failures and are not due to any unsoundness in the Merit Principle when properly and efficiently applied by competent administrators."

Mr. R. Francis Wood, for the Pennsylvania Association:

After Mr. Richardson's exhaustive description of affairs in Pennsylvania, little remains to be said. The Association has again prepared a draft of a state civil service bill to submit to the next session of the Legislature, which will meet in January. The bill provides for a State Commission, whose jurisdiction will extend to all the municipalities as well as to the state service. It is hoped by the Association, as a compensation for its frequent unsuccessful efforts to obtain the passage of a state civil service reform bill, that it will finally prepare a draft so perfect, that it will leave nothing to be desired in the way of a reform measure. We hope that the children of the delegates from Pennsylvania to the League will live to see such a bill adopted by a Pennsylvania Legislature.

Mr. Charles J. Bonaparte, for the Maryland Association:

By far the most important event in connection with civil service reform in Maryland during the past year has been the organization of a Women's Auxiliary to the local Association. This is a sure sign of the interest awakened in civil service reform by an appreciation of the fact, obvious but often forgotten, that this reform is essentially a moral one; it is an effort to raise the moral standards of the community by

purifying its politics, not merely to improve the administration of its public business. In this aspect, it claims the aid of that sex which is the guardian of our morals, the upholder of our standards of thought and life. There is one other matter to which I may refer. In the earlier days of the McKinley Administration there was organized an "Anti-Civil Service League" in Maryland; it was the second or third of such Leagues. I had thought it dead like its predecessors, but, apparently, it still exists; and, just before the last election, it held a meeting, a Mr. Daniel Scully, if I remember aright, presiding, and passed resolutions approving or condemning the election of the several candidates for Congress of the two leading parties. It was evident that they tried their hands at guessing as to the probabilities of success in each case, and they condemned several candidates whom they thought likely to be defeated; but, except in two cases where the result of the election was an absolute certainty, they guessed wrong in every endorsement they made; they brought their favorites ill luck, but it must be owned, in candor, that they were not an appreciable factor, either way, in affecting the result.

I have had little to tell, but what I had is good; and I confidently hope before the next Annual Meeting that there will be something more of tangible progress to report at that meeting.

Mr. Harry J. Milligan, for the Indiana Association :

The paper which was read this morning in regard to the public schools of Baltimore, stated that Professor Rice, in his article published in the Forum, had stated that the schools of Baltimore were the worst in the entire country. The reader might have added that in the same article Professor Rice stated that the public schools of Indianapolis were the best in the entire country, Boston not excepted. The Indianapolis schools have been kept out of party politics and their proficiency is due in a large measure to a group of women. Efforts have been made to use the schools for party purposes but they have been thwarted and the Merit System has controlled their administration, although they are not governed by statutory civil service rules. The benevolent and reformatory institutions of the state of Indiana within the last few years, have been taken out of the mire of party politics and have been put upon a bi-partisan basis. They are not governed by statutory civil service rules but in the main they are now under the Merit System and their present condition is a vast improvement over the old spoils system management when there were great abuses and much scandal. City and county governments are still under the worst forms of party and spoils system. I know of no reform that is more needed in Indiana than the adoption of the Merit System in municipal and county government and administration. This reform will come some time, but no one knows when. I think that even yet the people do not fully understand the Merit System. In many quarters it is thought not to be democratic, but rather exclusive in its principles and therefore it encounters much prejudice. Lectures upon the Merit System to popular audiences and to schools and colleges, would do much to remove this prejudice and to

hasten the adoption of the system. The people want good government and when they see the right road, they will follow it, albeit their movements may be slow.

Mr. William W. Vaughan, for the Massachusetts Association:

The history of Civil Service Reform in Massachusetts during the last year is chiefly the story of a narrow escape. The spoilsmen have become thoroughly aroused to the damage inflicted on their system by the Civil Service Law. They know now that they were unwise in letting the law be passed, and it is very doubtful if such a good law could now be got through if the matter were to start *de novo*. But they also are wise enough not to attack the law directly. Bills have occasionally been introduced to repeal the whole system, and many votes would gladly be given for it; but public sentiment is too strong, and these attempts have died an easy death. The real efforts are directed at under-hand methods. The most nearly successful was the recent attack made under the guise of protecting and helping the veterans of the Spanish War. Taking advantage of the popular sympathy with the young men who went to the war, sometimes leaving good situations which could not be easily recovered, they introduced a bill similar to the one in favor of the Union veterans. At first they undertook to put the younger men on a par with the older, but this met with such unanimous and just expostulations from the old soldiers that they perceived at once that they could only expect "second preferred stock" for the younger men, and modified their bill accordingly. Our Association opposed the bill at all possible stages; pointed out, in various ways, that this was only a form of pensioning the soldiers, and that pensioning ought to be payable in terms of money and not in terms of office; and showed how the result would practically repeal the Civil Service Law because there were enough young men to fill all offices for four or five years to come, so that the result would be that there would be an elaborate and expensive machinery with no material for it to grind. But in spite of all that could be done, the bill progressed, and finally came to a vote in the House, which resulted in a tie. Speaker Myers, a strong friend of Reform, in spite of the great danger to his political prospects which might be involved in his act, stood up and voted against it, defeating it for that year. The thanks of the community, as well as those of the Association, are distinctly due to him for his courageous act.

Apart from the work in the Legislature, more has been accomplished in Massachusetts by the women than by any one else. In one town three ladies found that the janitors of school houses were drawing excellent pay and doing substantially no work. The school houses were neglected and the children suffered. They appealed to the appointing power and were referred to the School Board. They went before the School Board and were told that the politicians controlled the appointments. It seemed to be a vicious circle, until some one discovered that there was a law by which, on the request of a proper number of persons, the janitors could be put under the Civil Service Law. The request was

made, the janitors were classified, the incapables were swept out, the school houses were swept out, and matters prospered again.

Taking all in all, Massachusetts has made some slight gain, but is chiefly occupied in holding its own.

Mr. Richard H. Dana, for the Cambridge Association:

The Cambridge Association has now 107 members on its rolls, and constant efforts are made to increase the membership.

Delegates from our Association opposed the Spanish War Preference Bill in the Massachusetts Legislature of this year, and with successful results. This Association recognizes that it has a special opportunity in interesting students of Harvard University, inasmuch as the field is so large throughout the country for good service by young men in public office, as well as in Consular and Diplomatic work. One of the meetings of the National Civil Service Reform League, held in Sanders Theatre, at Harvard, at the time when the Convention was held in Boston in 1901, had its good effect in interesting college men in the cause of Civil Service Reform.

The Association is watchful of public measures and active interest in the cause is maintained.

Professor Henry W. Farnam, for the Connecticut Association:

Connecticut is a small state, but it makes up for its lack of size by a great conservatism, and the steady habits, for which it has a possibly undeserved reputation, prevent it from moving too rapidly in any direction. And yet it has moved since last year, and the report that I make, though brief, is encouraging.

The old New Haven Association was, about a year ago, enlarged and made into a State Association. We have increased the membership considerably, so that we now have about 160 members. We have representatives on our Committee from half a dozen cities of the State, and altogether there seems to be a decided revival of interest in the subject.

The women of Connecticut have shown the same interest that has been shown by their sisters in Massachusetts, New York and elsewhere. The women's clubs of Connecticut have taken up the subject; they have formed a special committee regarding civil service reform, and although no Auxiliary has yet been formed, I have every reason to believe that one will come into existence soon. Our Legislature meets bi-annually, and as no meeting was held this year, we have nothing to report in the way of legislation, but our Association is making its plans to carry forward a campaign of education in the various towns and cities, and to work especially for the introduction of civil service reform into municipal governments.

Mr. John Joy Edson, for the Association of the District of Columbia:

The gentleman just preceding me stated that Connecticut was a small state. Rhode Island and Delaware are small states, and the

District of Columbia is the smallest of them all, less than ten miles square. We are a unique territory—and classed as a territory—our Government, however, differs from a territorial Government. You are aware that we have no suffrage in the District of Columbia. If submitted to a vote of the people they would not, five in a hundred, vote for suffrage. We are under the immediate control of Congress and the President of the United States. The limited time allowed me will not permit of an explanation more in detail of our form of Government. When we leave the Capital and other cities, on occasions like this, we hear, as we did yesterday and to-day, from those reporting from different parts of the country, and without exception, of the immense amount of fraud and corruption that exists. We hear that corruption prevails in St. Louis, Milwaukee and other cities not represented in this Conference, but I wish to say, and this may be something in the way of relief from the line of reports, that have been made, that in the Government of the District of Columbia, since its establishment in 1878, twenty-five years ago, there has never been a hint or single accusation of corruption. No rings, so-called, have ever existed. Every dollar appropriated is expended for the purpose it was intended. It is with great pleasure and satisfaction that I make this perfectly truthful statement. We are well content with our government.

Washington is represented in this Conference by five delegates, the President of the Board of Trade, the Vice-President of the Board of Trade, the President of one of our Citizens' Associations, a gentleman from the Civil Service Commission, and myself, President of the local Civil Service Reform Association. Our work there is directed towards securing a law covering the officers of the District of Columbia. It will be interesting to know that the Commissioners, who are appointed by the President and confirmed by the Senate, and who occupy the same position as the Mayor of a city, have for many years urged the adoption of civil service rules to cover the District of Columbia. The measure has also been endorsed by the Board of Trade, and many other citizens' organizations, and repeatedly by Presidents Harrison, Cleveland, McKinley and Roosevelt. No objection by the citizens, from any direction, has been manifested. With all these endorsements we were unable to obtain a hearing in Congress, at its last session. The Chairman of the present District Committee of the Senate is, I believe, unalterably opposed to civil service reform legislation. Nevertheless we have reason to believe that a hearing this winter will be secured, and with the recommendation of the President of the United States, Congress may enact the desired law.

In the meantime, our Commissioners, unlike the Mayors of other cities, who are constantly antagonizing civil service reform, have exercised their authority, so far as possible, and have introduced into the Police force, and into the Fire Department, civil service rules. In every respect the efficiency of these departments has been increased, and it is believed the District of Columbia approaches model Police and Fire Departments.

In regard to the Board of Trade, which has given this bill its endorsement, you would naturally suppose it is made up exclusively of

men engaged in trade, manufactures and the like, but this is not true. It is made up of men of all professions, lawyers, doctors, mechanics, artisans, bankers, ministers, and men of all walks of life, numbering about seven hundred. This is one of the mediums that the citizens of Washington have for giving expression upon public questions. It is a body of men respected, not only by the people of Washington, but by the Congress of the United States and Government officials. The principle governing the conduct of the Board of Trade has always been, not to endorse any question until it has had thorough and careful consideration, and that no doubt shall exist as to the absolute accuracy of the position finally taken. The consequence is, that when the Board appears before Congress, its views are regarded as reliable, and are of potent force.

There is but one other remark that I wish to make and that is about the efforts of the women in this reform. I am sorry to say that we have not in Washington a women's auxiliary, but it occurs to me that one should be organized. We have as good women in Washington, I must maintain, as there are elsewhere, and I shall inform them what is being done, and thus suggest to them that there is an opportunity to act.

The President then introduced Mr. Dana, of Massachusetts, who submitted the following report from the Committee on Resolutions:

The National Civil Service Reform League assembled in Philadelphia in this, its twenty-second Annual Meeting:

I. Congratulates the country on the high character and ability of the National Civil Service Commission;

On the regulation of the Labor Service of the Federal Departments in Washington by the adoption of the registration system;

On the closing of the many back door entrances to the classified service by wise amendments to the Civil Service Rules;

On the successful extension of classification to the Rural Free Delivery Service, now including 11,300 officials;

On the adoption of the policy of retaining Fourth Class Postmasters during good behavior;

On the enforcement of the law by the Administration through separation from the service of officials violating its provisions;

On the extension of the competitive system to a part of the Municipal Service of the District of Columbia;

On the adoption and successful operation of the Merit

System in the Federal Service of Porto Rico and in all the service, excepting schools, in the Philippines;

On the frustration of the attempt to saddle upon the classified service all those clerks in the Census office who were originally appointed under the patronage of Congress, and on the classification of the permanent Census Bureau;

On the promotions in the Diplomatic and Consular Service which it is hoped will lead to the general adoption of the Merit System in that branch of the service;

On the increased interest in the reform throughout the country, especially in the Middle West and on the Pacific Slope, and on the excellent work for the cause being done by the Women's Clubs in almost every state.

II. It urges the extension of the Merit System to the rest of the Municipal Service of the District of Columbia;

The application of that System to the Consular Service and Indian Agencies, by legislation if possible, otherwise by executive action;

The extension of the Reform Methods to the Cities and States of the country not now under Civil Service Rules.

III. It regrets the defects in the administration of the Civil Service System in New York City. It calls public attention to the success of the Federal, Massachusetts and Chicago Boards in the very classes of the service in which the New York Board seems to be deficient, as illustrating that the shortcomings in New York are due to faulty administration and not to any inherent weakness of the System.

It urges veterans of the Civil and Spanish wars and their friends to oppose the bills called "Veterans' Preference" bills. Such bills will work, as they have worked in some States, great harm to the Merit System. That System is the only efficient barrier to the spoils and boss systems, both public enemies of the country which the veterans risked their lives to save.

On motion, the resolutions were unanimously adopted.

The President then introduced Mr. Frank M. Kiggins, late Chairman of the Philippine Civil Service Commission, who read a paper on the Civil Service in the Philippines.*

*Printed in full at page 112.

The President then introduced Professor Lucy M. Salmon, of Vassar College, who read a paper on Civil Service Reform Principles in Education.*

The President then introduced Mrs. Imogen B. Oakley, Chairman of the Civil Service Reform Committee of the Philadelphia Civic Club, who read a paper on The Spread of Civil Service Reform Principles through the Agency of Women's Clubs.†

Colonel Burt moved a vote of thanks to the Pennsylvania Association, the Civic Club, the New Century Club and Mr. Stuart Wood for their generous hospitality extended to visiting delegates. The motion was unanimously carried.

FOURTH SESSION.

HOUSTON HALL.

FRIDAY AFTERNOON, DECEMBER 12.

AT 3.00 P. M., a public meeting was held at Houston Hall under the auspices of the Law Clubs of the University of Pennsylvania. Mr. Walter George Smith, representing the University of Pennsylvania, presided and made the opening address.‡ Addresses were also made by Dr. Daniel C. Gilman, Mr. Harry A. Garfield and Hon. Charles J. Bonaparte.§

The League then adjourned.

Attest:

ELLIOT H. GOODWIN,
Secretary.

A dinner to the visiting delegates was tendered by the Pennsylvania Association, at the Bullitt Building, at 7.00 P. M., on the evening of Friday, December 12th. Mr. John Field, the President of the Pennsylvania Association, presided and introduced the Rev. Floyd W. Tompkins, who acted as

*Printed in full at page 128.

†Printed in full at page 136.

‡Printed in full at page 56.

§Printed in full at page 59.

Toastmaster. Addresses were made by Dr. Daniel C. Gilman, President of the League; Senor Frederico Degetau, Delegate to Congress from Porto Rico; Colonel John W. Ela, President of the Civil Service Commission of Chicago; Mr. Harry A. Garfield, of the Cleveland Municipal League; Hon. Charles J. Bonaparte, President of the Civil Service Reform Association of Maryland; Hon. William H. Fleming, of Georgia and Mr. Richard Watson Gilder, of New York.

During the meeting of the League the delegates were tendered a reception by the Civic Club of Philadelphia, on Thursday afternoon, and were entertained by Mr. Stuart Wood, at his house, after the meeting on Thursday evening. On Friday a luncheon and reception were tendered to the delegates by the President and Board of Directors of the New Century Club.

ANNUAL REPORT OF THE TREASURER.

November 30, 1902.

Balance on hand, December 1, 1901..... \$67.54

RECEIPTS:

New York C. S. R. Association.....	\$2,092.00
Pennsylvania C. S. R. Association.....	1,234.00
Maryland C. S. R. Association.....	766.00
Massachusetts C. S. R. Association.....	1,050.00
District of Columbia C. S. R. Association..	400.00
Chicago C. S. R. Association.....	414.00
Missouri C. S. R. Association.....	250.00
Cincinnati C. S. R. Association.....	200.00
Connecticut C. S. R. Association.....	100.00
Buffalo C. S. R. Association.....	100.00
Cambridge C. S. R. Association.....	58.00
Women's Auxiliary of Massachusetts.....	50.00
A friend.....	10.00
Pamphlets sold.....	8.12

Total, \$6,732.12

GOOD GOVERNMENT Receipts..... 1,109.84 7,841.96

\$7,909.50

DISBURSEMENTS:

Salary of Secretary	\$1,500.00
" " Assistant Secretary.....	893.75
" " Clerks	1,173.00
Washington Agent	115.00
Rent of Office.....	400.01
Printing.....	507.43
Office Expenses.....	194.97
Postage and Stamped Envelopes.....	185.96
Traveling Expenses.....	218.21
Stationery	84.50
Expenses of Committee on Dependencies...	24.75
Subscription repaid New York Association..	375.00

Total League Expenses..... \$5,672.58

GOOD GOVERNMENT Expenses..... 1,495.53 7,168.11

Balance on hand..... \$741.39

E. & O. E.

A. S. FRISSELL,
Treasurer.

REPORT OF THE COUNCIL.

TO THE NATIONAL CIVIL SERVICE REFORM LEAGUE:

Since the last Annual Meeting of the League there has been time to judge as to the fidelity of the present Administration to those principles of Civil Service Reform, so often and so earnestly endorsed by the President in former years, and substantially reaffirmed in his first Message to Congress. The Council feels justified in saying without hesitation that, judged, as any Administration is entitled to be judged, with a fair regard for all attendant circumstances, this Administration has fully met the reasonable hopes of friends of the Reform. President Roosevelt has done more for the practical enforcement of the Civil Service Law, the elevation of the moral tone of the public service and the general advancement of improved methods of government than it has fallen to the lot of any other President to do so soon after assuming office. Nevertheless it is not surprising that, in this respect, his course has been subjected to a closer scrutiny than has usually befallen a new administration; this fact after all constitutes but a just tribute to the merits of Mr. Roosevelt's past services to the cause of good government. As a result of this exacting attitude of public opinion (in itself a thoroughly wholesome symptom of progress) the President and his official advisers have encountered some measure of criticism; it seems desirable, before referring to other features of the year's experience, to very briefly consider the grounds and merits of this criticism.

President Roosevelt has been accused of exhibiting too little regard for the salutary restrictions of the Civil Service Rules, by exempting from their operations, without evident necessity, a certain number of minor positions and individual appointments. With very few exceptions, the positions affected are altogether unimportant; but a principle is involved

of no little moment, and the subject demands consideration. Doubtless great emergencies may arise in which the President would not only be justified in suspending his rules to attain some urgent end of public policy, but obliged in conscience to take this course; but such cases are wholly exceptional; under all ordinary circumstances he may be justly expected to set an example of strict fidelity to the rules, both in letter and spirit, to all minor public officials. If, in his judgment, the rules need amendment, they should be promptly amended; but either actual or virtual suspension to meet frequent exigencies of comparatively little consequence would be a subject of reasonable regret and legitimate criticism.

While, however, the strict observance of the Civil Service Rules must be a matter of serious concern for all friends of good government and pure politics, but one occasion has arisen during the past year which justified, in the Council's judgment, remonstrance on the part of the League against a failure to thus observe them. Some difference of opinion exists among friends of the reform, and has been publicly expressed, as to the methods adopted by the Administration in filling a few positions, nearly all of them of very subordinate importance, and in creating a still smaller number of vacancies in the service; but in only a single instance have the officers of the League considered that the facts warranted its intervention. The solitary case referred to was the special exception to the regulations of the New York Custom House requested to make possible the appointment of a particular person as Deputy to the Surveyor of the Port. Against this the Secretary, on behalf of the League, filed a protest with the Civil Service Commission on September 19th last. On November 26th the exception was granted, the Commission stating, in substance, in an accompanying minute, that the long experience of the person suggested in the public service satisfied the spirit of the regulation, although he was ineligible by its terms; the Council cannot regard this action as establishing a satisfactory precedent. The seeming inconsistency between a decision of the Secretary of the Treasury to the effect that a Collector of Internal Revenue might be simultaneously a member of a City Council and the terms of an order issued by President Grant and, so far as is known, never revoked, will be, if the views of the present Council are

shared by the one about to be chosen, called to the President's attention by a suitable memorial.

More serious complaints against the present Administration have arisen from certain appointments to offices not embraced within the classified service. The Constitution provides that the President "shall nominate, and by and with the advice and consent of the Senate, shall appoint . . . officers of the United States whose appointments are not herein otherwise provided for, and which shall be established by law." There is no room for doubt as to the meaning of this provision; it is the intent of the Constitution, as it was the expectation of its framers, that the President should choose those whom *he* deemed fit to fill the more responsible offices, subject to a right of veto on such appointments vested in the Senate; nor would there be any practical difficulty in his doing this were there no changes in the public service except such as are necessary or demanded by the interests of the service itself; the President, aided by the advice of competent subordinates, could readily and intelligently fill vacancies caused each year by death, voluntary resignation or removal for cause. Under the "Spoils System," however, which creates frequent vacancies merely because the interest of influential politicians demands frequent new appointments, there has grown up a practice, to a greater or less extent sanctioned by acquiescence on the part of all modern Presidents, which permits the selection of candidates for such offices by Senators, Representatives or National Committeemen of the dominant party, reserving to the President little more than a veto on their choice.

President Roosevelt has indisputably tried to mitigate the evils inherent in this system of selection; he has made the veto, which all Presidents have, to some extent, exercised, far more practically effective and a valuable safeguard of honesty and competency on the part of the appointee; probably he has done all that any President could who did not break altogether with the unfortunate traditions controlling the discharge of this part of his duties, perhaps all that could reasonably be expected from any President under existing circumstances; but the system itself is essentially vicious, and, however it may be palliated in practice, its fruits must be in some measure harmful to the permanent interests of the nation.

While appointments to public office are made by a method which is almost the reverse of that contemplated by the Constitution and for reasons condemned by sound principles of government, they will be, of necessity, often unsatisfactory and sometimes very unfortunate, no matter how faithfully or how vigorously a President may contend with the evil influences to which this system gives free scope. It could serve no useful purpose to discuss in detail how far this statement is verified by incidents of the past year; but the Council deems it eminently fitting that the League should again record its emphatic condemnation of the grave abuse, only the more dangerous and noxious because of its long standing, to which such incidents are due.

The League's standard of duty for the discharge of public trusts is so high that its attitude should be, and will be, while it continues animated by the spirit which caused its formation, always rather critical than laudatory towards those actually fulfilling such trusts. Having considered summarily what measure of justification there may still be for complaint or criticism, the Council notes as justly gratifying a very great and rapid advance in the application of the principles advocated by the League during the past year in the Federal Service.

First among the measures whereby this progress has been effected should be mentioned the reorganization of the Civil Service Commission, whose composition may be fairly described as now more thoroughly satisfactory to the friends of the Merit System than it has ever been, at all events, since President Roosevelt himself ceased to be a Commissioner.

Secondly, it must be specially gratifying to the League, and may reasonably be regarded as a justification of its criticisms on the Executive Order of May 29th, 1899, that substantially all features of that order, except the removal of some among the offices thereby affected from classification or competitive examination, to which it then submitted specific objections, have been, one by one, rescinded or so materially modified as to remove the reasons for these objections. This fact is only the more significant because these changes have not been made of set purpose or with any reference to the views of the League, but by a succession of orders each the result of practical experience in the working of the original measure.

The amendments to the Civil Service Rules noted with commendation at the last Annual Meeting of the League have been supplemented by others, whereby most, if not all, of the fraudulent devices widely employed in former years to evade the Civil Service Law and the Rules have themselves been rendered nugatory. Moreover, the operation of the new rules has been shown by their practical working to be thoroughly satisfactory.

The President has indicated unmistakably his intention to compel a faithful observance of the law and rules by removing from the service, either by actual dismissal, enforced resignation or refusal of reappointment at expiration of term, various officers who had, more or less flagrantly, disobeyed them; thus enabling the Commission in its last report to "note with satisfaction a far more general and uniform observance of the law than had previously existed." The classification of employees of the Rural Free Delivery Service shortly before the last Annual Meeting of the League, not only added some 11,300 places to the classified service, but constituted a long step towards a satisfactory solution of the problem how to take the Fourth Class Post Offices out of politics. Another long step in this direction has been the announcement by the Postmaster General of a very important change of policy in the intention to hereafter treat such postmasters, not as morally holding office for four years only, but as holding, under ordinary circumstances, for an unlimited term.

It is worthy of mention in this connection that the new policy of the present Administration amounts simply to an observance of the law. There never was any legal warrant for the practice which vacated all Fourth Class Post Offices at the end of four years; it was adopted merely from analogy to the law prescribing a similar term for certain more important Federal offices, and was based, in last resort on the doctrine, a reasonable one for a believer in the Spoils System, that, after any incumbent had enjoyed the advantages of public office for a certain length of time, he ought to give place to a less fortunate worker.

Finally, it should be mentioned that the Merit System has been partially introduced into the Civil Service of the District of Columbia. This reform has long been recognized as de-

sirable by the Commissioners of the District, the Civil Service Commission and the President, as well as by the League; but the District Commissioners have been reluctant to initiate it of their own authority, and still hesitate to extend it to their clerical service in the absence of legislation by Congress prescribing or, at least, sanctioning its adoption. This attitude on their part is doubtless inspired by a commendable deference for the Legislative branch of the National Government; but we must, in the judgment of the Council, frankly recognize that to hope for any action by Congress whereby abuses which procure influence or political advantage to Senators and Representatives may be remedied is altogether unreasonable. When Congressmen find that they can no longer control the patronage of the District, they may regulate by law a system of appointment for merit which is already established, and which they cannot venture to destroy in defiance of public opinion; but, while their recommendations are heeded in filling any class of public positions, it is hopeless to expect the extension by statute of the Merit System to that portion of the public service.

What has just been said applies, with even greater force, to the Consular Service. In this instance, a plausible pretext to refuse remedial legislation, clearly demanded by public opinion and recommended by the President, is found in the provision of the Constitution which requires consuls to be appointed by the President by and with the consent of the Senate. The President may clearly, however, prescribe rules to limit his own discretion (retaining, of course, the power to amend, rescind or suspend such rules at pleasure), and Congress can no less clearly provide him by statute with any agencies he may need to better ascertain the fitness of candidates for employment in this branch of the public service. It may be reasonable and natural that the President should wish to await Congressional action, which he has strongly urged and which is evidently needed for the convenient exercise of his own powers in the premises, before acting himself; but experience has shown conclusively that, until Congress finds a merit system actually established in the Consular Service, it will be in the last degree reluctant to aid in its establishment or perfection.

The persistent hostility of professional politicians in both of

the great national parties to Civil Service Reform was exhibited on several occasions during the first session of the present Congress. A determined effort to render eligible for employment in the classified service, without examination or other test of fitness, more than 2,000 employees of the Census Bureau, originally selected, notwithstanding vigorous protests from numerous commercial and scientific bodies throughout the Union, as well as from the League, as a matter of personal favoritism on the part of Senators and Representatives was defeated by the resolute and judicious action of the President under the advice of the Civil Service Commission; but it gave rise to a debate in the House of Representatives in which the purpose of many members, as it was stated by one speaker, "to take care of their pets" in the public service was avowed with cynical candor. The outcome of this controversy was the addition to the classified service of some 800 employees of the permanent Census Bureau, who were professedly retained for merit out of the many thousand originally appointed; a fairly satisfactory result, but for which it cannot be said that the majority of either House of Congress deserves any credit, although the Council is in no wise unmindful of the valuable services rendered by certain Senators and Representatives on this and other occasions.

A yet more clearly inexcusable sacrifice of the public interest to supposed partisan or personal advantage was contained in an amendment to the Appropriation Bill for the Department of the Interior, which provided for twenty additional members of the Board of Pension Appeals, but prohibited the choice of these new officers either through promotion or through competitive examination; the Secretary of the Interior being actually forbidden to select them either in compliance with conditions prescribed in the Civil Service Law or from the present or previous employees in his office. It would be impossible to suggest a more indefensible provision of law; its enactment was gravely discreditable to all responsible for it.

The late session of Congress at last put an end to the anomalous position of those additional employees in the Departments appointed at the commencement of the Spanish war, by including them in the classified service. This measure involved an evident injustice to the many competent eligibles

on the registers of the Civil Service Commission; but it constituted the lesser of two evils if the alternative were the longer retention of these employees in their former very ambiguous and irregular status; and it may be hoped that similar abuses will be less readily tolerated by public opinion in the future.

It should be here mentioned that by Executive Order, promulgated on July 3d last, some 250 employees of the temporary government of Cuba were likewise added to the classified service. This order was issued, according to a memorandum accompanying it, "upon the recommendation of the Civil Service Commission after a full investigation of the records of these persons, who are recommended by General Wood acting for the War Department, by reason of special meritorious service rendered by them in Cuba." It is to be regretted that it must likewise reduce, in some degree, the probabilities of early employment of the same eligibles; but, under all the circumstances, it may be plausibly defended as an act of reasonable consideration for the merits of faithful public servants.

The negative record of the last session of Congress is, on the whole, much more satisfactory than the positive. None of the injurious bills against which the League protested at its last Annual Meeting became laws, and it is to be hoped that their unequivocal condemnation by an enlightened public opinion may cause the failure of any "Veterans' Preference" bills or other schemes designed to impair the Merit System which may be urged at the present session.

The Council and officers of the League throughout the past year have done all in their power to resist these flagrant or insidious assaults upon the principles of Civil Service Reform, as well as to aid the Civil Service Commission in its work and to enlighten and guide public opinion. To the last mentioned end it has made an exceptionally large distribution of appropriate literature; the demand for this, especially from the states of the Middle West and the Pacific Slope, being unusually great. Movements have been set on foot to introduce the Merit System in several municipalities, notably Los Angeles, California, and Detroit, Michigan. A Commission has been appointed by the Governor to prepare a Civil Service Law for the State of Illinois, and an agitation to secure similar legislation has been started in other states, more par-

ticularly in California. An especially gratifying evidence of increased popular favor for Civil Service Reform, and a better appreciation of its importance and merits, is shown by the widespread interest in the subject developed among Women's clubs and societies, and the activity with which many intelligent and patriotic women have devoted themselves to the advancement of the reform. A third auxiliary was organized during the year in Maryland, on the same basis as those in New York and Massachusetts, and it is hoped by the Council that similar organizations may be soon formed in other States.

The Council is obliged to record its regret that the results of the great victory for good government and pure politics in New York City on which the League congratulated the country at its last Annual Meeting, have not, as yet, met all the hopes of friends of Civil Service Reform. While recognizing that grave practical difficulties may have retarded the application of sound methods of selection and promotion to the public services of our vast metropolis, the Council yet believes that the experience of Greater New York during the last twelve months has shown, most of all, how imperfectly the essential principles of Civil Service Reform are understood by many citizens in general sympathy with the effort to raise our standards of official conduct and purify our political morals. It urges upon the League and upon all friends of the Reform the evident necessity for continued activity in extending a knowledge of its true aims and methods, no less than for unceasing vigilance in unmasking the pretences and refuting the calumnies of its enemies.

Very respectfully submitted, on behalf of the Council,

CHARLES J. BONAPARTE,

Chairman.

Report of the Committee on the Civil Service in Dependencies.

TO THE NATIONAL CIVIL SERVICE REFORM LEAGUE :

THE report of your Committee on the Civil Service in Dependencies, presented a year ago, referred to the satisfactory and gratifying outlook for the firm establishment of the merit system in the dependencies of the United States. Nothing has occurred during the past year to cause us to change the opinion then expressed. In the Philippines, under the auspices of a friendly administration, the system has been well established and is now in a most satisfactory working order. As is pointed out by the United States Civil Service Commission in its last annual report, for the year ending June 30, 1902, (issued on October 24, 1902) :

" Practically all positions in the Philippines are now included with in the classified service, with the exception of teachers, and it is understood that these positions also will be made subject to classification at an early date. The Philippine law requires that all vacancies in the higher positions shall be filled by promotion, thus encouraging those in the lower grades to render the best possible service with the assurance that the most capable will, as vacancies occur, be advanced to the highest administrative offices."

Mr. Frank M. Kiggins, late Chairman of the Philippine Civil Service Commission, is to read a paper, at this meeting of the League, on "The Civil Service in the Philippines," so your Committee will omit the details concerning the establishment and development of that system. It to be noted, however in passing that there has been no falling off in interest on the part of the Philippine Commissioners in the faithful and efficient execution of the rules and regulations. Both Governor Taft and Vice-Governor Wright, (who have been in the United States during the past year), have expressed the opinion that the system is not only thoroughly practical, but the only efficient one for the government of dependencies.

Always advocates of civil service reform, its actual and efficient operation has strengthened their belief in its essential principles.

The situation in Porto Rico differs materially from that in the Philippines. The latter is governed by a Commission appointed by the President of the United States. It is at once an administrative board and a legislative body; and it can therefore speedily enact and put into force and effect a policy, just as it has done in the matter of the merit system, without having to consult either the Federal authorities at Washington or any local body. Whereas Porto Rico is governed by an Insular Legislature, one branch of which is wholly made up of natives. Moreover, the Governor, has only the power to suggest or veto legislation; but cannot legally and formally initiate it. In short, Porto Rico must apply the merit system itself, except so far as the Federal officials are concerned, and these, of course, as in the Philippines and in the United States, are under the Federal Civil Service Law and come under the jurisdiction of the United States Civil Service Commission.

Somewhat over a year ago, one of the members of the Porto Rican Code Commission drafted a civil service bill, but it is probably fortunate that this was rejected as it was in some ways objectionable, especially in that it provided that the entire eligible list should be certified to the appointing officer. Since then the Governor of the Island, the Federal Commission, and this Committee have been seriously considering and agitating the subject of an adequate civil service law to cover the insular and municipal service. Under the Foraker act all the positions in the Federal service, as suggested above, (including, of course, those at the custom-houses and the post-offices) were brought under the competitive system, and Dr. George W. Leadley, Chief of the Service Record Division of the Federal Commission, who was sent to report on the service there, said that the character and efficiency of the native applicants, who came up before him for examination for admission to the Federal service were ample warrant for extending the system to the insular and municipal services of Porto Rico, and moreover, he believed that there were certain local facts which made it imperative that the system should be introduced into both services without delay. As was said

editorially in *Good Government*, in considering this report and the efforts that were pending to carry out the suggestions outlined :—

"While the status of the inhabitants of Porto Rico has not yet been clearly defined by the Courts, it has been determined with sufficient clearness to show that they have not, under the Constitution, the full protection of American citizens. They are, therefore, all the more entitled to protection as taxpayers who are in the equivocal position of a subordinate people governed by a more powerful nation. The salaries of all officials, except those appointed by the President, are paid out of the revenues of the Island. The inhabitants of Porto Rico are therefore paying the salaries of officials whom they neither elect nor appoint. Under a Governor Allen or a Governor Hunt they may be safe from imposition, even under these conditions, but provisions must be made for the Island's being governed by men who are not so conscientious, and who would dare to exploit the service for the benefit of incompetent Americans.

"It is evident that the Federal Administration cannot directly impose a civil service law on the cities of the Island. That must be done by the Insular Legislature. But since the Governor of the Island, and the members of the Executive Council, who constitute the Senate, are appointees of the President, it cannot be said that the Administration is free from all responsibility. The President, and the Governor whom he appoints, must have, in a dependency which is *as yet neither territory or state*, and they ought to have, great influence in bringing about any legislation of which they strongly approve, and we urge the President to give his attention to the situation in Porto Rico, and, without overstepping his legitimate authority, to exercise all the influence he may properly bring to bear for the establishment of efficient civil service laws in the departments of his appointees, and in the service of the cities which his appointees help to govern."

This responsibility has been felt and assumed by Governor Hunt, who, during his recent visit to the United States, expressed himself to representatives of this Committee as heartily in favor of the application of the principles of the merit system to the Porto Rican service. Moreover, he consulted at length with the Federal Commission, which he requested to draft a bill providing for the establishment of the system in the Island, a task it readily and willingly accepted and which it has most efficiently discharged.

The bill prepared by the Commission is entitled, "An Act to Regulate the Civil Service in Porto Rico." It is modelled upon the Federal and Philippine acts, embracing those features of both that experience has shown to be best. It provides for a Commission of three, not more than two of

whom shall be adherents of the same political party on the Island to formulate rules, which must be approved by the Governor, for the establishment and maintenance of an efficient civil service in all the executive branches of Porto Rico and for any of the municipalities of the Island, whenever authorized by such municipalities. The bill prescribes at length and with fulness of detail what these rules shall provide, as will be seen by reference to the copy attached to this report.

The remaining sections are intended to carry out the main ideas of the bill, and, having been drafted by Messrs. Proctor, Foulke, and Garfield, the present members of the Commission, it follows that they are as complete and adequate as their ability, experience and interest in the reform can possibly make them.

This draft has been forwarded by the Commission to Governor Hunt, who in turn will submit it to the Insular Legislature, which meets in January. Whether that body will act favorably, remains to be seen; but of this the Committee is assured, that every legitimate influence of Governor Hunt and his colleagues will be exerted to create a sentiment favorable to the bill. The present prospects may therefore be said to be most encouraging as this influence is naturally very considerable and will be reinforced by that of other presidential appointees, who compose the upper chamber of the legislature.

The Porto Rican Commissioner to the United States, Senor Frederico Degetau, who will speak before the League at a later session, is deeply interested in the merit system and its establishment in Porto Rico, and we may therefore expect his influence to be exerted in the same direction.

The Council of the League, at its last meeting, after a careful consideration of this Committee's last report, adopted a minute that it "receive the report of the Committee on Civil Service in the Dependencies with gratification and refer it back to the Committee with authority, in its discretion, to carry out its suggestions, and also to organize a Porto Rican Association, if practicable, and, in its judgment, advisable."

The efforts of the Committee have been exerted in the direction of creating a public sentiment in Porto Rico favorable to the merit system, and, while of necessity it has been compelled to work at long range, evidence has not been wanting of their success. The editorials in *Good Government* have

been reproduced by local papers and have likewise been sent directly to the prominent officials and citizens of the Island. Of course, it cannot be predicted with certainty that the bill will be passed at the next session, but present prospects favor it. On the other hand, should it fail, there are many reasons to justify the belief that the postponement of action will not be for long, as the trend of sentiment is in the direction of the reform, and the whole sentiment of the Federal Administration is favorable to it.

The fact that President Roosevelt, in dealing with appointments in Porto Rico and the Philippines, has been guided by the principles of action laid down in his first annual message "that not an office should be filled in the Philippines or Porto Rico with any regard to the man's partisan affiliation or service, with any regard to the political, social or personal influence which he may have at his command," has made directly and forcibly for the creation of a favorable public opinion. Acts speak more effectively than words, and the President's consistent following of the principles of civil service reform in the Insular appointments, has done more than volumes of literature for the real, healthy, substantial establishment of the merit system in our dependencies.

Respectfully submitted, on behalf of the Committee,
CLINTON ROGERS WOODRUFF,
Chairman.

AN ACT TO REGULATE THE CIVIL SERVICE IN PORTO RICO.

Be it enacted by the Legislative Assembly of Porto Rico, that :

Section 1. The Governor, by and with the approval of the Executive Council, shall appoint three persons, one or more of whom shall be citizens of Porto Rico, and not more than two of whom shall be adherents of the same political party in the island, to be members of a Board to be called the Porto Rico Civil Service Board, and shall designate one of such persons as chairman, another as secretary, and another as chief examiner.

Section 2. Each member of the Board shall receive such

salary as may be fixed by the Executive Council and his necessary traveling expenses while in the discharge of his official duties.

Section 3. The Board shall aid the Governor in preparing rules adapted to carry out the purpose of this act, which is hereby declared to be the establishment and maintenance of an efficient civil service in all the executive branches of the government of Porto Rico, and for any of the municipalities of the island whenever authorized by such municipalities, by appointments and promotions according to merit and by competitive examinations where the same are practicable. Such rules, when approved by the Governor, shall be promulgated by him. It shall be the duty of all officers in the Porto Rico civil service in the departments and offices to which any such rules may relate to aid, in all proper ways, in carrying said rules into effect.

Section 4. The rules to be adopted by the Board shall provide:

(a) For the classification of all offices and employments specified in section 3.

(b) For the selection of laborers, skilled and unskilled, according to the priority of their applications and ratings based upon experience, which need not, if the Board shall so determine, relate to more than the capacity of the applicants to labor, their habits of industry, and sobriety, and their honesty.

(c) For the promotion of members of one rank of the classified service to the next higher rank upon such tests of fitness as the Board may determine.

(d) For a period of probation before the appointment or employment is made permanent.

(e) For the preparation and holding of open competitive examinations of a practical character for testing the fitness of applicants for appointments to the classified service.

(f) For selection, according to average percentage, from among those certified by the Board as rated highest in such competition.

(g) For transfers under limitations to be fixed by the rules from one branch of the classified service to another, or from the Federal classified service of the United States to the classified service of Porto Rico.

(h) For reinstatements in the service under limitations to be fixed by the rules.

(i) For selection from eligible registers of the United States Civil Service Commission to fill vacancies requiring special qualifications which cannot be procured from the competitive examinations held in the island.

(j) For suitable age limits for entering the classified service.

(k) For eliciting from all applicants for examinations full information as to their citizenship, nativity, age, education, physical qualifications, and such other information as may reasonably be required affecting their fitness for the service which they seek to enter.

(l) For the employment of clerks and other employees for temporary service where it is impracticable to make appointments as provided in this act, for terms not exceeding ninety days, but no person shall be employed under this exception for more than ninety days in a year.

Any necessary exceptions from the foregoing fundamental provisions of the rules shall be set forth in connection with such rules, and the reasons therefor shall be stated in the annual reports of the Board.

The enumeration herein of the subjects to be covered by the rules of the Board shall not be regarded as exclusive, but the Board shall have the power to adopt any rules not inconsistent with the act which will more efficiently secure the enforcement of the act.

Section 5. The Board shall keep minutes of its own proceedings, and on or before the first day of December of each year shall make an annual report to the Governor showing its proceedings, the rules which it has adopted, the practical effect thereof and suggestions for carrying out more effectually the purpose of this act.

Section 6. The Board shall supervise the preparation and rating and have control of all examinations under this act. The Board may designate suitable persons in the Porto Rican or Federal civil service to conduct its examinations. The duties required of such persons shall be considered as part of their official duties and shall be performed without extra compensation.

Section 7. The Board may make investigations and re-

port upon all matters relating to the enforcement of this act and the rules adopted hereunder, and in making such investigations the Board and its duly authorized examiners are empowered to administer oaths, to summon witnesses, and to require the production of official books and records which may be relevant to such investigations.

Section 8. The Board shall have a permanent office at the seat of government. When examinations are to be held by the Board, officers having the custody of public buildings shall allow their reasonable use for this purpose.

Section 9. The Board shall keep an official roster of all officers and employees in the executive civil service of Porto Rico, and for the purpose of this roster each head of a department or office shall furnish to the Board the necessary information in such form and manner as it may prescribe.

Section 10. When the Board shall find that any person is holding a position in the civil service in violation of the provisions of this act or the rules of the Board, it shall certify information of the fact to the disbursing and auditing officers through whom the payment of the salary or wages of such position is by law required to be made, and if thereafter the disbursing or auditing officer shall pay, or permit to be paid, to the person such salary or wages, the payment shall be illegal, and the disbursing officer shall not receive credit for the same.

Section 11. Any person in the Porto Rican civil service who shall wilfully or corruptly, by himself or in cooperation with one or more persons, defeat, deceive, or obstruct any person in the matter of his right of examination by said Board; or shall wilfully, corruptly and falsely rate, grade, estimate or report upon the examination or standing of any person examined hereunder; or who shall wilfully and corruptly make any false representations relative thereto; or who shall wilfully and corruptly furnish any special or secret information for the purpose of improving or injuring the prospects or chances of any person so examined, or to be examined, employed, appointed or promoted, shall for each offense be punished by a fine not exceeding \$1,000, or by imprisonment for a period not exceeding one year, or by both such fine and imprisonment.

Section 12. Any person who shall wilfully and corruptly

become the beneficiary of an act in violation of the last preceding section shall be punished as provided in that section.

Section 13. No inquiry shall be made, and no consideration whatever shall be given to any information relative to the political or religious opinions or affiliations of persons examined, or to be examined, for entrance into the service, or of officers or employees in the matter of promotion.

Section 14. No officer or employee in the Porto Rican civil service shall, directly or indirectly, give or hand over to any other officer or employee in said service any money or other valuable thing to be applied to the promotion of any political object whatever, and a violation of this section by the giving or receiving officer or employee shall subject the violator to a penalty of not exceeding \$500 or to imprisonment not exceeding six months, or both.

Section 15. No person in the Porto Rican civil service shall be under obligation to contribute to a political fund or to render a political service, or be removed or otherwise prejudiced for refusing to do so. Any person soliciting political contributions from public officers or employees shall be subject to the same penalties as those provided in the preceding section.

Section 16. No person in the Porto Rican civil service shall use his official authority or official influence to coerce the political action of any other person or body, or to influence elections or control the results thereof.

Section 17. No officer or employee in the Porto Rican civil service shall discharge, or promote, or in any manner change the official rank or compensation of any other officer or employee, or promise or threaten so to do, for giving or withholding, or neglecting to make, any contribution of money or other valuable thing for any political purpose whatever, or because of his political or religious affiliations.

Section 18. The wilful violation by any person in the Porto Rican civil service of any of the provisions of this act or of the rules made thereunder shall be considered good cause for the removal of such person from the service.

Section 19. The persons now employed in the civil service of Porto Rico whose positions may be classified by the operation of this act and the rules herein provided for shall, unless dismissed by proper authority, continue in the service

and discharge the duties assigned them ; but after the passage of this act no person shall be employed except in accordance with its provisions and the rules made in pursuance thereof.

Section 20. The Legislative Assembly, or either house thereof, may require the Board to draft suitable rules for the appointment, promotion and discharge of such of its officers and employees as may be deemed expedient.

Section 21. The Governor may by general regulation include within the classified service the interpreters, stenographers, clerks, officers of sala, archive officers, janitors, bailiffs, and attendants of the insular courts, and require the Board to prepare suitable rules governing the appointment promotion and discharge of such officials and employees.

Section 22. This act shall take effect on its passage, and shall be referred to as the "Civil Service Act."

Address of Dr. Daniel C. Gilman, President of the League.

THERE are some in this assembly who can remember vividly the events of the Civil War, and among them, one at least recalls a pamphlet which exerted remarkable influence upon public opinion. It came out when the nation was depressed by its first reverses on the battle-field, by widespread discontent among the people, and by uncertainty respecting the good to be accomplished with lavish expenditures of life and property. The pamphlet I refer to was published in hundreds of thousands of copies by the Loyal League Publication Society of New York. It was written by a Philadelphian, the Hon. Charles J. Stille, afterwards Provost of the University of Pennsylvania, and the title of it was this:—"How a Free People Conduct a Long War." The example which he presented was that of the Dutch Republic in its struggles for civil and religious liberty. Although I cannot quote any phrase employed by this writer excepting the caption, "How a Free People Conduct a Long War"—I well remember the lesson, which was this:—in resistance to recognized evils, disappointments must be met, patience must be exercised, victory can only come after long exertion, and frequent reverses.

It has seemed to me that our courage as civil service reformers might be strengthened by this doctrine. We are "a free people conducting a long war." The contending forces are well arrayed. On the one side are lofty ideals respecting democratic institutions and deep-seated convictions that a republican form of government is the best that the human race has evolved. In opposition to these ideals are the tendencies of human nature, which shrinks from unselfish exertions, prefers ease to effort, is indifferent to the public service,

regards public office as the proper reward of partisan efforts and looks at the public treasury as a store-house to be used for private advantage.

"Pull" is the leader of one camp,—“ Merit ” of the other. The conflicting watch-words are familiar. On the one side may be heard the cry that Marcy uttered seventy years ago: “ To the victor belong the spoils ; ” on the other hand, a doctrine formulated in many phrases, none better than that of Grover Cleveland, “ Public office, a public trust.”

Let us amplify the metaphor of a campaign. Our league is only one of many battalions engaged in upholding good government. Civic clubs, municipal defense associations, vigilant committees, good government societies, independent ballot, and reform clubs are agencies, more or less effective, more or less local and temporary, helping on the cause. Moreover, there are many supporters of sound doctrines, not enrolled in our battalion, nor in any other, whose influence is upon the right side, judges on the bench, teachers in the universities, statesmen in the halls of legislation, executive officers of the states and nation, editors commenting on ephemeral changes, and historians, like Schouler, Rhodes, Adams, Sumner and Fiske, whose writings help us to discern the good and the evil that have come to us from our forefathers and our fathers.

The efforts of our organization are restricted to one arm. We are but a single battalion, organized for a specific purpose. As a League, we are not concerned in economic or financial reforms, in the sanitation or decoration of cities, in the betterment of public schools, in the suppression of vice, in the making of good roads, in the cleaning of streets or in the protection of game, though we believe that the universal acceptance of Civil Service Reform would contribute to the progress of these and many other desirable improvements in our social conditions. Like other armies we are constantly engaged in the enlistment of recruits, and they are naturally anxious to know what is the meaning of all this array. “ What does the League propose? ” “ What can an auxiliary do? ” “ What can I do for Civil Service Reform? ” are questions lately put to me by enthusiastic and intelligent supporters of our association. From the veterans, the recruits ask enlightenment. To such enquirers, I would say, first, that the

subsistence department of an army is of prime importance. Contributions of money will enable the League to hold public meetings, circulate important documents, and employ intelligent counsel when necessary in the defense of our principles. If you can do nothing else you can pay the dues.

Next, I would say that as public opinion is essential to the maintenance of an army, recruited among a free people, so public opinion is essential to the progress of the merit system. Therefore, let me urge upon all our members to use their influence, persuasively, for the recognition of correct principles in every appointment to office. Whenever there is a vacant office, to which a salary pertains, in a benevolent society, in an educational establishment, sometimes even in a pulpit, A is nominated because he needs a place, B because his wife's health requires a change, C because he has never had a fair chance, D because he is old and feeble and ought to be taken care of, E because he is the grandson of old General X, and so on through the alphabet. Who thinks of engaging a cook for any such reasons; who would leave his money in a bank where the cashier and tellers were thus selected; who would trust a railroad or a steamship manned in this way? Therefore in private affairs and in public be the unvarying advocate of selections by merit.

Next, let me urge our juniors to inform themselves of the literature, the abundant literature, that may be readily commanded. By all means read our civil service record, which is called "Good Government," for it is a bulletin of current intelligence,—but do not read that only. It is as important to beware of the man that reads but one newspaper as to beware of the man that reads one book. Be the owner of Mr. Eaton's work on the Civil Service in Great Britain, prepared when he was sent abroad by Mr. Evarts, at the request of President Hayes, for such an investigation. You may there see how old is the struggle in which we are participants. Mr. Eaton has called attention to the interesting fact that the germ of an efficient civil service may be found in the fundamental bill of rights which we know as Magna Charta, in which we find "the first civil service rule," King John's promise, that only those shall be appointed to certain offices who know the law of the kingdom and are willing to observe it. Nothing is said of friendship for the King, nothing of influence with

noblemen and gentry. Well said, says Mr. Curtis, for this was a declaration that administrative offices should be filled by those who were competent and not merely of royal favor. This was nearly seven centuries ago.

Supplement Mr. Eaton's volume with that of our colleague, Professor A. Lawrence Lowell, on the Colonial Service of England, Holland and France, a volume most appropriate to our country at this time. It is a capital book, valuable not only for the facts that it presents, but for the author's comments upon the past, and for hints upon our dealings in the Philippines. Here, for example, is one pregnant sentence: "English experience in India seems to have resulted in two conclusions: First, that a high general education, and best of all a university education, is very important; and, second, that a great amount of special training before departure is neither necessary nor advisable." Let me call especial attention to a Report (which is given in Mr. Lowell's volume) signed in 1854 by five illustrious men,—Lord Macaulay, Lord Ashburton, Rev. Henry Melville (the famous pulpit orator), Jowett, the Master of Balliol, and Shaw-Lefevre, speaker of the House of Commons.

Do not fail to become familiar with the Annual Reports of the United States Civil Service Commission.

Besides these volumes there are the classic speeches of that brilliant orator, that gifted essayist, that model citizen, George William Curtis,—speeches where the grace of literary style adorn the sentences that are full of political wisdom and the purest ethics of statecraft.

In all these writings you will find the reiteration and reinforcement of one doctrine, that when appointments in the civil service are made upon the merit system we shall have better administration in all departments of government, and our representatives, and the leading statesmen of the country whether they are in office or out of office, will be free for the study and the discussion of the very great problems, most complex and most varied, which underlie the welfare of society.

It is a long warfare in which we are engaged. The doctrine that private claim to political preferment should dominate public action, though never avowed in this broad statement, is so sanctioned by usage, is so plausibly supported by

the plea for "rotation in office," and is so consonant with generous impulses for the recognition of neighbors, friends and political allies,—that the cooler, wiser, impersonal endeavor to secure the fit man for every post will not be popular until the merit system has had a fair trial and its advantages are recognized in the public service and also in private life. We have encouraging examples of progress in many historical pages. Let me remind you of the passing of the Reform Bill and the Catholic Emancipation, and of the removal of the disabilities of the Jew, and of the repeal of the Corn Laws in Great Britain. In our own country remember how long it was between the repeal of the Missouri Compromise and the Emancipation Proclamation. Let me mention also the opposition to public schools which thwarted for many years the efforts of Horace Mann and Henry Barnard, efforts which ultimately led to the adoption, throughout the land, of that bulwark of civil liberty, the American methods of popular education.

Yet in our struggle we have seen great victories. Go back to the year 1830, and read the story of General Jackson's accession to the presidency as it is told in Schouler's third volume of the History of the United States, and in Sumner's Memoir of Jackson, and in John Fiske's Essay on Politics seventy years ago. Then turn to the nineteenth report of the United States Civil Service Commission just issued from the press and mark the gains that have been made.

This is the graphic story of Schouler. After Jackson's inauguration, "the halls of the White House were filled with a disorderly rabble, common people forcing their way into the saloons and mingling with the foreigners and distinguished citizens who surrounded the President. China and glass were broken in their struggle to get at the ices and cakes, though punch and other drinkables had been carried out in tubs and buckets to them; but had it been in hogsheads it would have been insufficient, besides unsatisfactory, to the mob who claimed equality in all things. The confusion became more and more appalling. At one moment the President, who had retreated until he was pressed against the wall of the apartment, could only be secured against serious danger by a number of gentlemen linking arms and forming themselves into a barrier. It was then that the windows

were thrown open, and the living torrent found an outlet. It was the People's day, the People's President, and the people would rule.

"Inauguration day passed, but the mob of strange faces was still to be seen hovering about. Strangers filed the ante-room and lobbies and all public places, though making less free henceforth with the White House apartments, and resolving themselves more into knots of politicians, most of whom compared notes freely with jovial good nature, like men who know not how soon a fellow-struggler may get what he wants and be in a position to lend a helping hand. This was not the people all ruling, but the people after office. A great and hungry multitude swarmed in the city, ravening up and down from morning to night; 'too many to be fed without a miracle.'"

With this invasion of the Spoils System in 1830, which reads like the incursion of the barbarians upon Rome, contrast the calm and orderly report on the Merit System in 1902. The U. S. Commission records its gratification at the substantial progress made in the competitive system during the year and at the excellent manner in which civil service law and rules have been generally observed throughout the various branches of the Government. Notice these particulars.

During the year 1901-2, more than 62,000 persons were examined for the Civil Service. Two-thirds of these passed the required tests. Fifteen thousand, save one, (14,999) appointments, were made from those who entered through the Merit System. Nearly 9,000 carriers and other agents of the Rural Delivery Service for letters have been included in the classified service. In Porto Rico, the merit system of appointments has been introduced in all positions in the Federal service. In the Philippines, all government appointments, except teachers, are now included in the classified service.

Such are the victories thus far gained by a free people in the conduct of a long war, by the battalion of Civil Service Reformers in their attack upon the Spoils System.

Within the year the cause of Civil Service Reform has lost one of its most valiant supporters, one who was the fearless opponent of every form of maladministration, the keen detective of subtle harmful tendencies in popular government, and the advocate of every measure which, in his opinion,

would promote the welfare of the Republic. You know that I refer to the late Mr. Godkin.

It has been fortunate for the country that within a short time, four such men were contemporary contestants in the political arena, as Dorman B. Eaton, James Russell Lowell, George William Curtis, and Edwin L. Godkin,—all of them keenly alive to the prevalent evils, none of them office seekers, each one having a remarkable aptitude for political controversy and able with voice and pen to give efficient blows whenever needed, to repel attacks however determined. There were earlier strong advocates of Civil Service Reform. Charles Sumner in the Senate, as far back as 1864, supported by his correspondent, Francis Lieber; and four years later Thomas A. Jenckes, in the House of Representatives, are names never to be forgotten. George H. Pendleton is likewise held in honorable remembrance; so is Charles Nordhoff. Nor can we fail to bear in mind a younger man, that great governor of Massachusetts, Roger Wolcott, like Russell and Greenhalge, a splendid trio, too soon removed from earthly life. Of these departed guardians of the best traditions of the commonwealth, a noble company, and of others still living, their worthy associates, Godkin was the peer.

By such gifted advocates of the Merit System, all the legitimate weapons of political discussion were employed,—philosophy, history, argument, invective, wit, satire, and eloquence, with such persuasion as we all remember, with such victories as we all rejoice in.

The fact that Mr. Godkin aspired to no form of personal or official distinction, and was identified with no party in church or state, and the fact that he controlled a journal which, in spite of the animosities inevitably created by its independence, was for many reasons,—especially its political philosophy and its literary acumen,—the foremost weekly in the United States, gave his words great weight. Through its columns, he could not only utter his convictions now and then, but he could reiterate them every week with fresh illustrations and warnings. He enlivened them with grim humor which enforced the attention of those whom he belabored, and he produced such effects as come from repeated blows by a strong arm upon the metal that lies upon the anvil.

I am not expert enough in higher criticism to discrimi-

nate, with the certainty of an Old Testament critic, between what was written by Mr. Godkin and what he endorsed or inspired ; but I know that in season and out of season, he was alert in the detection of wrong doing and in the correction of abuses. A re-examination of the files of *The Nation* indicates that for more than thirty years he was vigilant upon the watch-towers, strenuous on the battle-field. Occasionally, in the monthly magazines, he wrote more elaborate, but I can hardly say more effective articles. Twice, he was called upon to assume official responsibility, and he acted in accordance with his doctrines. Appointed by Mayor Edson a member of the first Civil Service Board in New York, in 1884, he served until 1887 when the Tammany power acquired the ascendancy. Called to the same office in 1895 by Mayor Strong, he served till February, 1898, that is till the close of the Strong administration.

All who knew Mr. Godkin personally retain a vivid impression of his uncommon equipment, both moral and intellectual, for the service of the State. Educated in the schools and among men, by books, travel, reflection, and intercourse with the leaders of public opinion, he was ready for the discussion of every social question, interested in the solution of every problem. These characteristics were strengthened by his unswerving uprightness. Nothing could divert him from the course that his conscience said was right. He stood up like the Hebrew prophets denouncing infidelity. "He feared not the reproach of men" nor was "dismayed at their revilings." So he "cried aloud and spared not; he lifted up his voice like a trumpet, declaring unto the people their transgression and to the house of Jacob their sins."

One of Mr. Godkin's most intimate associates regards his address on the example of Postmaster Pearson as the most classical of all his productions upon the Merit System. I have just risen from its perusal and I believe that I cannot bring these remarks to a close in a more acceptable way than by reading you words of our honored and departed associate, which are taken from that beautiful tribute to an efficient public servant.

"A state grows, flourishes, and lasts, or declines and perishes through its servants. A good civil service will often arrest the progress, for great periods, of very potent

causes of decay. A bad one will make the best constitution ever formed and the best laws ever enacted powerless to help or save any policy, however just, humane, or enlightened. When we consider in what a condition of mental flux we are just now upon nearly every thing that holds civilized man together—our political economy and morality and religion,—what a very large population we have which is American only in name, what a very large body of Americans we have who care nothing about either law or political purity as long it stands in the way of their getting rich, I think that you will agree with me that we cannot be in too great haste to give permanence, and the efficiency which comes with permanence, to the machinery of government. We civil service reformers have been accused a good deal of making a great fuss about a very small matter, but I think the events of each day show us more and more clearly that our matter is the greatest of all matters; that if we are to preserve our form of government, and our social organization intact, and at the same time to preserve our dignity and respectability in the eyes of the world, it is to be done, not by increasing our navy and our army, but by giving the government the kind of service which the experience of mankind has shown to be the best."

From this sad remembrance of those who have fallen in the fray, let me turn to a happier theme, and congratulate you, members of the League, on the encouraging report of the Council; let me rejoice with you that we have three such intelligent, vigorous, and watchful commissioners in Washington, as Proctor, Foulke, and Garfield, and that in the White House we have a fearless and enlightened President, who thoroughly understands the value of the Merit System, and is firmly committed to the maintenance of the principles of this reform in the service of the Government,—civil, diplomatic, consular, military and naval.

Address of Walter George Smith, Esq.,
at Houston Hall.

IT is a matter of regret that our distinguished Provost has been prevented from presiding at this meeting. Let me say, as I have no doubt he would say, that it is a source of great satisfaction to see gathered in this hall, the Club of all students of the University, an assemblage whose presence testifies its interests in the cause so vital to Nation, State and City.

For more than a quarter of a century the self-devoted efforts of the leaders of this movement, many of whom have passed away, have been given to the advocacy of principles that when carried out in practice have redounded so greatly to the public weal.

In a Government such as ours, the duty of giving time and thought to public measures and scrutinizing the conduct of public servants, rests upon the conscience of every citizen. This is a truth too often forgotten. For the most part, the ills of which we complain in the administration of government, arise from the indifference of the citizen. It is not too much to say that if a tithe of the energy and intelligence and concentrated purpose shown in the administration of private business or in the vast semi-public corporations which extend themselves throughout our country, were devoted to the duties of citizenship, our American communities would afford an example to the world of purity, economy and energy, such as has never been known in its history.

The American Constitution, using the term in its broadest sense, as applying to the system under which our laws are created and administered, has evoked the unbounded admiration of the most profound students of history, and even under imperfect administration, has stood such tests as may well

encourage us to believe it has passed beyond the stage of experiment.

One of the great evils that confront us now, is the power of what is called the political machine, an aggregation of men bound together ostensibly by a common belief in certain political theories, but too often controlled by the purpose and hope of obtaining control of public office, merely for the distribution of its profits among themselves.

It cannot be too strongly impressed upon the minds of students that great political questions should be considered uninfluenced by personal and selfish considerations. While there is and must always be a certain prestige connected with one who is honored by public position, and while the office itself demands and should have a respect that extends itself to him who holds it, yet it is obvious the great questions must be decided, if decided properly, with an eye single to the public good and unbiased and uninfluenced by any personal aims.

As I understand it the purpose of Civil Service Reform is to lay the axe at the very root of what is known as the spoils system, and thereby to break down the power of the political machine. It is not intended or desired by those who advocate Civil Service Reform, to disintegrate the great parties that in a republic must always exist, but so to purify them by removing the temptation held out when public office is considered merely as the reward of partisan service, that they may be true exponents of the principles they profess. And not only this, but a greater purpose :—that by fixing the tenure of public office and the tests by which it may be obtained, so that the servants of the people may find their reward not in the advancement of party, but in a fixity of tenure resulting from work well and honestly administered, with the same prospects of continuance in office and promotion to higher spheres of usefulness as may be found among the employees of private corporations or individuals. It must necessarily be that under every change of administration, the higher officials, those who mould the policy of the government, and those upon whom they immediately depend as their personal assistants, should be exempt from the rules of the civil service; but when we consider that, after all, our governments are vast mechanisms depending for their proper and economical ad-

ministration upon competent and reliable employees, is it not the height of folly to expect good service from men whose fixity of tenure depends upon the result of frequent elections, or upon the will of the head of a political organization who owes no responsibility to the public? The mere statement of the principles upon which the civil service rules are based, would seem to carry conviction of their propriety to every unprejudiced mind; and those principles have passed beyond the experimental stage.

It is now more than a quarter of a century since the distinguished Senator from Ohio, the Hon. George H. Pendleton, introduced the first civil service reform bill in the Congress of the United States. With occasional retrogressions, the cause has steadily advanced, until now it may be believed that in all the great departments of the government, after one has obtained by reason of competitive examination an appointment to public office in any of the classified services, he cannot be displaced by arbitrary action. The same principle has been adopted in some of the states, and, in theory at least, in some of our municipalities. How well it has worked in practice will be explained to you, doubtless, by the distinguished speakers who honor us by their presence this afternoon.

It is profoundly gratifying to me, as one of the corporation of the University of Pennsylvania, to see so many of the students of this University and so many of the students of other institutions of learning, both for men and women, assembled to seek instruction upon a great public question. May your interests in your patriotic duties grow and increase, and you will thus prove yourselves worthy of the opportunities that are given with bountiful hand to fit yourselves for a foremost place in the communities in which your lives are to be cast.

I now have the pleasure of introducing to you Dr. Daniel C. Gilman, former President of Johns Hopkins University, and now the head of the Carnegie Institution.

What is Civil Service Reform?

AN ADDRESS DELIVERED BY HON. CHARLES J. BONAPARTE
AT HOUSTON HALL.

THE Civil Service Reform League has been organized for some twenty-one or twenty-two years. About two or three years ago, some of those most prominent in its management met during the summer months at one of our watering places to hold a conference, for there were then certain matters connected with public affairs which gave all of them very grave anxiety. Some of these gentlemen stayed on that occasion at the principal hotel of this watering place, and the clerk in taking down their names, showed some curiosity to know the reason of their visit; on learning that they came to attend a meeting of the Council of the National Civil Service Reform League, he asked: "Well, what do you fellows want, any how?" When told further that the "fellows" wanted Civil Service Reform, he asked again: "Well, what is Civil Service Reform?" Now, it has occurred to me (I hope this is not a calumny on the present audience) that it may be just within the bounds of possibility that some of those here are tempted to ask the same question. In the ladies and students this may be excusable on the ground of youth; for those of my hearers who come within neither of these two classes there may perhaps be another excuse, since they have heard a great deal of talk during the two days' session of the League, and may be pardoned if they have forgotten just what "the fellows" who talked "wanted"; in the few minutes, therefore, during which I shall detain you, I shall devote my time principally to answering, if I can, the second question of the hotel clerk; for after all this is a pertinent question, a question which this body of men, reinforced by our feminine auxiliaries, ought to be able to answer; I want to tell you then, in a very few words, what

Civil Service Reform is. It is nothing in the world, ladies and gentlemen, but the application of sound sense and sound morals to the choice and retention of your public servants. You place in the hands of a President, or a Mayor, or a Governor great powers of patronage. He holds those powers, he is entitled to fill the offices in his gift, *solely* in the public interest. He received those offices, or the right to fill them, from the people; *he* did not create them. The salaries of those officers are paid by the people's money; they are not paid out of *his* pocket. The duties of those officers are fixed by the people's laws; *he* has no more power than any other citizen to fix their duties, although he himself is bound, by the same laws, to see that those duties are properly performed. In short, the offices in his gift belong to the people, and he holds them as the people's steward and trustee.

I understand that this is a meeting of the Law Clubs of the University; consequently a part at least of my audience must be at present under a delusion from which I suffered when I had reached in my legal education that stage which I suspect most members of those clubs have reached in theirs. I *then* thought I knew something about law. Do not be troubled lest you suffer long from this mistaken idea; the Courts will take care of that, when you come to practice; but while you are still under this fond delusion, I ask your assent to two propositions which are unequivocally laid down in every jurisprudence to which trusts are known; namely, that a trustee must not profit by his trust, either be the richer himself or make anybody else the richer by his care of the trust fund, except only his *cestui qui trust*, and, on the other hand, a trustee must himself execute his trust; he must not turn it over or farm it out to somebody else. Now, then, young gentlemen, that President, or Governor, or Mayor, who uses the patronage placed in his hands by the community, what ever it be, which has honored him with its highest office, for the advancement of his own political fortunes, or those of his faction in his party, or for the success of his party at the polls, has done precisely the same thing which any guardian would do who used his ward's money in his own business, or to promote the business of a firm or corporation of which he was a member; and, as it would be no good answer for that guardian, when charged with holding for his individual use

the profits made, if profits had been made, by this illegal use of the ward's money, that he gave back to his ward in full what had been intrusted to him; so it is no answer, no full answer at least, for such a President, or Governor, or Mayor to say that he has not appointed grossly unfit men to office, if he has not appointed them *strictly* and *solely* by reason of their fitness for the offices he has placed in their hands.

Another aspect of the problem is no less clear. A trustee cannot turn over to somebody else what he holds for the benefit of another, and the President, or the Governor cannot ask this or that man, in high station, perhaps, and of great influence in his own party, to tell him whom he shall appoint to this or that public office, because for those appointments *he* must answer to his fellow-countrymen. It is the object of Civil Service Reform (I noticed, by the way, when my good friend, Dr. Gilman, said that we were not "cranks or critics, or pessimists," his eye happened to fall, it seemed to me, where I sat, and he added: "At least we are not *all* such") and the peculiar kind of individual, whatever else he may be called, who is justly called a "Civil Service Reformer,"—and I admit myself to be one,—to make public trustees discharge their full duties; to make them discharge *the whole* of these duties; not a half or any other fraction; not to do it now and then, or here and there, but everywhere and always, because *we* do not believe in a sort of "local option" on the subject of good government.

But there is another aspect of the question; there is another purpose of Civil Service Reform. We all recognize,—at least we who have seen something of practical politics do, and you will as soon as you have that undesirable, but perhaps necessary, experience,—that the use of money to influence the result of elections and guide the course of our politics, the illegal and exorbitant use of money, I might say, is a very great, and some persons think it is a growing evil, but it is a perfectly legitimate outcome of what is called the "Spoils System" of politics. If you honestly believe that you may give a man an office because he has voted or worked for a ticket, then you must consistently believe that you can, with an equally clear conscience, give him a quarter's salary of that office if he has not the opportunity to perform its duties. A very peculiar thing happened in my own State not long ago. We had passed in our State, for reasons which would

be rather interesting to describe, but which it would detain me too long to give you at this time, a State Census Bill, under which a considerable number of enumerators had to be appointed for different parts of the State, with substantially the same duties as the enumerators of the Federal Census: the real purpose of the law was to get at public expense a certain number of paid employees for the dominant party to make its canvass. These enumerators were all appointed for political reasons and, in the City of Baltimore, at all events, their selection was intrusted to certain persons connected with the organization of the dominant party in each ward; where there was a city councilman of that party from that ward, he was requested to suggest the names of the enumerators. As a rule they were about the toughest crowd that could be well got together because only persons with an absence of tenderness of conscience, with a decided freedom from squeamishness, were available for the thoroughly "practical" work they were really expected to perform. It so happened, however, that one of the city council, who is personally a very respectable man, and who was troubled with a good reputation and with a desire to preserve it, on learning the unfavorable comments, the very pronounced criticism bestowed on the appointments made under this system throughout the city, was unwilling to select as enumerators in his ward the people whom "the powers that were" in the party organization wanted him to nominate, so it is said they made a compromise with him and allowed him to recommend for nomination in his ward respectable men as enumerators on condition that out of his own pocket he should pay what would have come as salary to the toughs who had been selected by the bosses, and, according to report, he did this. I mention this to show that in attempting to prevent the use of public office as a means of influencing votes, whether of the man who receives them or his friends or any person who could be affected by it, Civil Service Reformers are doing precisely the same thing which is done by every good man who objects to the use of money for the same purpose. I said a moment ago that there was no difference in paying a man money or paying him with an office. There is not, so far as that man is concerned, but, so far as the person paying him is concerned, there *is* a difference; because, if I pay a man for his vote out of my own

pocket it is, at all events, not so impudent or so mean as it is to make him offend against the people's laws and pay him for the crime out of the people's own pocket, into which I improperly put my hand for that purpose. Those are the purposes of Civil Service Reform—to oblige public trustees to fulfill their trusts; to prevent the bribery of the people with the people's own offices.

How do we propose to prevent those things? In so far as the offices are of such a character, and this is true of the vast majority of offices, that the political opinions of the men who hold them have no legitimate connection whatever with their official duties, we propose to introduce and enforce, so far as our influence may extend, a system of appointment, and of promotion, and of retention in office which shall be absolutely divorced from politics. We will select a man, as near as we can, by an "automatic" process for each office. It has been said that a competitive examination does not necessarily give you the best man for the office to be filled, and in some cases that is perfectly true. There are a considerable number of cases in which it is not a matter of certainty that the man who passes the best examination is necessarily the man who has in greatest abundance the qualifications needed to discharge the duties of the office; but, while that is true, it is much more likely that you will get the right man in that way than if you allow the office to be given to somebody because he has rendered questionable service to a politician, and that is the alternative. It is not a question of whether you get the best man, although the experience of those best qualified to speak is that you do come pretty near getting the best man through a free and fair competition, however, this may be, at least you shut out the worst men. A curious and very significant fact, I believe, is well established by experience; namely, that among those public servants who have entered the service, whether National, State or Municipal, through competitive examination are found an astonishingly small number of intemperate persons as compared to the number among those appointed through political or personal favoritism. That is not because only teetotalers can pass a civil service examination; there is no competitive test of their ability to withstand the temptation to drink to excess; they are not, so far as I know, put in a room with unlimited gin and their condition noted when they come out,

but it is an established fact that hard drinkers do not come to the top in a competitive examination fairly conducted, while they are very likely to come pretty near the top when the place is filled by the favor of politicians. Those, then are our purposes; that is the work in which we invite you to join, and I suggest that, in tendering this invitation, we offer you a very desirable client, in the whole American people; all the work that you do for the advancement of good government will be done in the interest of the entire population of this immense territory, and will deserve the gratitude of this great nation. Moreover, we offer you a client who will inevitably pay you; this is a litigation in which you cannot be cheated out of your fee, and you will find when you come to practice law that this is saying more in its praise than may, at the present moment, seem to you warranted. You will be paid, first, by the respect and confidence of your fellow citizens, for I venture to say, that, however "cranky" or "critical," or "pessimistic" you may seem at times to some of them, if you adhere honestly and faithfully to the principles of Civil Service Reform, as they are, and not as they are misrepresented to be, and if you patiently, and resolutely, and unflinchingly meet all disappointments, and wait for the good time to come with full confidence that it will come; if you strive in that spirit to these ends, you will find you have conquered the respect even of the very men against whom you have contended in the struggle to bring those ends about. But independently of that, coming down to the narrow ground of self interest, you will be paid for your service to the cause of good government by the advantage which you, as a citizen, will reap from its fruits. That is a reward of which no one can deprive you, a reward worthy of the most strenuous efforts, under all discouragements and all trials; for, remember, that the end for which you work is to give your country a government of which your country need not be ashamed.

Practicability of Promotion Through Competition.

ELLIOT H. GOODWIN.

THE Federal Civil Service Act, passed in 1883, provides that "no person shall be employed to enter or be promoted in either of the said classes now existing or that may be arranged hereunder pursuant to said rules, until he has passed an examination or is shown to be specially exempted from such examination in conformity herewith." After the lapse of nineteen years, the Commission in its annual report urges Congress to provide for the re-classification of the entire departmental service and states that "until such re-classification is made the Commission does not feel justified in promulgating and attempting to enforce any uniform system of promotion regulations."

Experience with examinations for promotion in New York City has also failed to provide us with encouraging results. In New York the requirement of competition is even more peremptory than in the Federal service. The Constitution provides that "promotions—— shall be made according to merit and fitness, to be ascertained, so far as practicable, by examinations, which, so far as practicable, shall be competitive."

What are the difficulties in the way of promotion by competitive examination, which have led many of those who firmly advocate the use of the competitive system for entrance to the service, to hold that it is impracticable to apply the same system to promotions? They will be found in the essential difference between an original appointment and a promotion, which no one has more clearly stated than the first Federal Civil Service Commission in its report for the year 1883:

The difference between the value of competitive examinations for admission and for promotion is plain enough. The applicant for original entrance to the service is a stranger to the head of the office, and ignorant of its duties. But those who seek promotion are well known to the head of the bureau or office. They have served under his own eye. No one knows so well as he their capacity or the qualifications needed in a vacant place. They are seeking places of authority where discretion, a sense of justice, facility in arranging and despatching business, capacity for discipline and for command, are not only the most essential qualifications but are the most difficult of all to be tested by examination."

A recognition of the truth of this statement leads one inevitably to the conclusion, that competition is a far more satisfactory method of selecting candidates for admission to the service, than it can ever be for choosing the proper person to promote among those already within the service. This should be frankly admitted at the start by those who advocate the practicability of promotion by competition.

But by admitting this one does not by any means commit himself to the proposition that the appointing officer should be allowed free rein in making promotions. The evils resulting from the promotion of the unfit for political reasons, which the framers of the Federal law and the New York Constitution sought to cure by providing for competitive examinations for promotion, still exist. The heads of departments may intend to promote the subordinates who, in their judgment, have done the best work and are the best fitted for the higher positions, but too often their good intentions are thwarted by outside influences. The disease calls for a remedy to-day as it did in 1883. Some more satisfactory remedy than competitive examination may be invented, but none has as yet been proposed. Experience with competitive examinations in the Federal Service and in New York City is not conclusive as a proof of failure, for there are instances in both services where it has been conspicuously successful. Where it has not worked successfully is with the clerical positions which form the great bulk of the civil service and the attempt will be made in this paper to outline a system which will fit these positions. At the same time it is thought that the principles upon which this system is based can be made to apply to other classes of positions as well.

There are two classes of promotions to be considered: first, promotions which involve the assumption of a higher

grade of duties; second, promotions which involve only an increase in salary. Examples of the first class are promotions from Sergeant to Captain of Police; from Draughtsman to Engineer; from Junior Clerk to Clerk. An example of the second class would be the promotion of an eighth grade clerk to a ninth grade clerk for long and faithful service, without change of duties. Both of these classes will be considered in connection with the elements which make up a competitive examination for promotion.

These elements are, first, the actual, competitive, written or oral examination; second, the record of efficiency, character and conduct; third, seniority.

Seniority, as such, is no test of merit and fitness. To promote by seniority alone is unjust to the capable and enterprising employee and leads inevitably to bureaucracy. The United States Commission in its Nineteenth Report, holds that seniority should rule only when all other qualifications are equal. I should be inclined to give seniority more weight than this, and believe it is actually given more weight in making promotions in private business. To a certain limited extent, length of service is a test of valuable experience. One can say with practical certainty that it will take a certain time for a new man to learn the rudiments in a new position, and a still longer time in which to become thoroughly acquainted with the duties. A man should not be allowed to compete for promotion, therefore, until he has served for a fixed period in the next lower grade; after which he should be given a certain percentage for each additional year of service in that grade. The percentage allowed him should be comparatively large at first, as during his early years of service in the grade he learns more than later. After he has served long enough to reach his highest efficiency, the percentage for further years of service should be reduced to a minimum, so that it will only count in case the qualifications of candidates are absolutely equal.

The record of a candidate for efficiency, character and conduct in his position should be an important factor in judging his qualifications for promotion, but this too, has its strict limitations as a test of merit and fitness. To promote on the record alone, or on the record combined with seniority, would again be unfair to the capable and enterprising em-

ployee, and would lead either to bureaucracy or to promotion by favoritism. This follows from the fact that the record is made up in part of the actual and "unconscious" record as to attendance, punctuality and amount of work done, in part of the opinion of the superior officer as to the candidate's efficiency. If the actual and "unconscious" record is to rule, then it must be said that a candidate's ability to perform the duties of the lower position, as shown by this meagre record, is a poor criterion of his fitness to perform duties of a higher grade. If the opinion of the superior officer is to rule, and that officer wishes to show favoritism, he has only to express his preference by his marking of the record, and if promotion is to go by favoritism, it is far better that this favoritism should be displayed openly, than disguised in a so-called record.

On the other hand, a record properly kept, with entries made at frequent and regular intervals and which combines the opinion of the superior officer with the "unconscious" record of the candidate, giving due weight to each, will be a valuable test, but should not be controlling. The record and seniority deal only with the efficiency of the candidate in the position he is occupying. To argue from this to his efficiency to perform higher and more exacting duties, is a far cry. For instance, a man might be a most efficient senior clerk, performing with thorough understanding and in a perfectly satisfactory manner the duties to which he is assigned, and yet not be fitted to assume the duties of chief clerk. Record and seniority will have weight with an unbiased appointing officer in making a promotion, but the *sine qua non* will be, the question whether the candidate has the requisite knowledge to perform the duties of the higher position.

Knowledge of the duties of a position can be tested by competitive examination. The most ardent advocate of competition will admit that in any examination there are important qualifications that are not tested. But experience has proved that these qualifications, in most cases, accompany a full knowledge of the requirements of a position. Where some essential qualification is lacking, the fact will be brought out by the test of actual service, and power should be given the appointing officer to reject a candidate after a fair trial.

The competitive examination is, then, far the most impor-

tant of the three elements which make up a promotion examination and should be given the greatest weight.

Having now analyzed the different elements of a promotion examination, and ascertained their comparative value as tests of fitness, it is necessary to inquire how the examinations should be arranged for the two classes of promotions described above; promotions which involve the assumption of a higher grade of duties, and promotions which involve only an increase in salary.

In the first case—promotion to a higher position—it is perfectly clear that knowledge of the duties of the higher position is the main requisite; therefore, the competitive written or oral examination must be given a preponderating weight. The record and seniority should enter in as minor factors.

One may ask why the record and seniority should be considered at all in this class of promotions, when the important thing is to ascertain a candidate's fitness for a higher grade of work. The answer is that they will show the applicant's attention to duty, the opinion of his superior officer as to his efficiency as a workman, and, to a certain extent, his experience, all of which are important considerations, although not on a par with a knowledge of the duties of the higher position.

This plan is approached in the rules for conducting promotion examinations in the Police and Fire Departments of the City of New York. Only approached, however, for the rules allow 50 per cent. for the record, 25 per cent. for seniority and 25 per cent. for the competitive examination, where the plan provides that the competitive examination should be given the most weight. With this essential difference in mind, it may be well to analyze such an examination as is now held under the rules in New York.

In an examination for promotion from Roundsman to Sergeant, it is required that the Roundsman shall get at least 70 per cent. in each of the three elements of the examination in order to pass. Copies of the "permanent and continuous records of the Department" are sent to the Civil Service Commission and there rated. The competitive examination is a test of the Roundsman's knowledge of the duties of the position of Sergeant. In rating for seniority, 70 per cent. is

allowed for two years' service as a Roundsman. In other words, a Roundsman who has served less than two years is held not to have the requisite experience and is, therefore, debarred from the examination. An additional 2 per cent. is allowed for each of the next five years' service, and an additional 1 per cent. for each of the next twenty years of service.

More weight is here given to seniority than would be proper in the case of promotion in clerical positions. But an examination on this plan, with the weights changed to meet the circumstances, can be conducted in every case where the duties of the higher position are clearly defined and are essentially different from the duties in the next lower grade.

There is no satisfactory way of conducting competitive examinations for a mere increase of salary which does not involve any change in duties. There is nothing for the written or oral competitive examination to test. Even in this case, however, there should be some check on favoritism and political preferment. The promotion should be based on record and seniority, the greater weight being allowed to the record. The superior officer should be required to send the details as to length of service and a complete record for each person in the grade, to the Civil Service Commission, which should rate the candidate and make up an eligible list.

I will not detain you with the details of a plan for a satisfactory record of efficiency, character and conduct. Such a plan has been drawn up and submitted to the Civil Service Commission in New York City. It provides that the head of each bureau shall transmit to the Civil Service Commission at the end of each month a record that will show the Attendance, Punctuality, Quantity and Quality of work performed, and the Initiative and Conduct of each employee under him. It is also provided that the Commission may reject the record of a head of a bureau who tries to shirk his responsibility by giving to each of his employees the highest marks possible.

The real difficulty is reached in applying these rules to clerical positions. These positions are varied and numerous. They range from the Office Boy, at \$300, to the Chief Clerk, at \$3,000 per annum. The intermediate grades are occupied by persons performing widely different tasks.

First, it is essential to properly group the positions. Those which involve book-keeping and accounting should be placed in one group; stenographers and typewriters should be in another group; statisticians in another; and the purely clerical positions in still another group. This last group in every service forms a large army, and it is mainly in regard to these that the difficulty in providing an adequate promotion system exists.

To promote by competition from Office Boy to Junior Clerk, from Junior Clerk to Clerk, from Clerk to Chief Clerk, presents no difficulty. In each case the higher position involves duties of a higher grade, and knowledge of these duties can be tested by examination. But the great mass of clerical positions are those of clerks above the grade of Junior Clerk and below that of Chief Clerk. Their salaries range through thousands of dollars and their duties are of great variety. Some plan for competitive examination should be devised for these positions. The superior officer should not be permitted to increase a clerk just above the grade of Junior Clerk—for instance, at a salary of \$750—to \$2,500, simply on his record, in which, at best, the opinion of the superior officer will be controlling, and favoritism is therefore possible.

The next step would, therefore, be to properly grade the salaries of these positions. The grades might be set one hundred and fifty dollars apart, as they are in New York City. Then every clerk in the service should be assigned to one of these grades. The salaries would then run \$300, \$450 and so on up to \$3,000. Each clerk would be known as a first, second, fifth, eighth, or fifteenth grade clerk. These grades should then be grouped into classes, on the principle that the duties of a clerk in one class are essentially higher than those performed in the next lower class. This will allow of competitive examination from class to class. Class A would be Office Boys, with a limit of maximum salary of, let us say, \$300; Class B, Junior Clerks, with a limit of \$600; Class C, with a limit of \$1,200; Class D, with a limit of \$1,800; Class E, with a limit of \$2,400; Class F, with a limit of \$3,000. These figures are used merely as examples. The essential thing is to place the limits of each class far enough apart so that the increase of salary shall represent duties of a so much higher grade that it will be possible to use examination as a test of fitness for promotion from class to class.

Under this system there would be six classes, each class containing a number of grades. The grades proposed are so near together that it should not be difficult to change the salaries now existing in any service so as to conform to them. Entrance to the service should be to the lowest grade, and promotion from one class to the next higher class should be to the lowest grade in that class.

It is obvious that an increase in salary of \$150 would not involve an essential change in duties. The promotion from grade to grade within a class would be for salary alone, and, therefore, should be based on record and seniority. Thus a clerk could be increased to the highest grade of salary in a class without examination.

But the step to the next class would involve higher qualifications. Record and seniority will not test the possession of these qualifications. Again, as the record is based mainly on the opinion of the superior officer, the increase in salary of one clerk from the lowest to the highest grade of the class may be due to favoritism or based on political considerations. When a vacancy occurs in the next higher class, all those, of whatever grade, who have served a minimum time in the class below, should, therefore, be admitted to compete for the higher class in an examination in which some weight should be given both to the record and to seniority.

If this plan is feasible for clerical positions, it can be applied to other kinds of positions as well. Once the salaries are regularly graded, the civil service commission can divide the grades into classes so that the standard of each class shall be so much higher than in the class below that a competitive examination will be practicable.

One advantage of this plan is that the civil service commission could fix a standard of examination for each class and this standard would apply for all departments. All the fourth class clerks in the service could be examined for eligibility for promotion to the fifth class at one time. The examinations could be held at a regular time each year or every two years, and the resulting list subdivided for each department.

An objection that will at once be made is that the examination, being merely a standard examination for a class, will not test the qualifications of the applicants for the particular duties of the position which is vacant. To this it

can be answered that the examination could be broad enough in scope to test the essential qualifications for all positions in the class. Furthermore, the difficulty cannot arise except as to a vacancy in the lowest grade in the class. In other cases the vacancy would be filled by promotion on record. Finally, the appointing officer should be allowed the usual choice of one from three, and, in case the plan of annual examinations for clerks of a certain class in all departments was carried out, the appointing officer might well be allowed, on certifying to the civil service commission that the candidates on the list for promotion in his department were not fitted to fill the existing vacancy, a further choice among the first three on the general list for all departments.

The Spoils System and the Merit System in the Public Schools of a Great City.

DR. H. O. REIK.

WHEN, in 1894, Dr. J. M. Rice, an expert in pedagogy, called the attention of the world to the fact that Baltimore had one of the poorest public school systems in the country, the good conservative citizens of that town were somewhat shocked, and some of them showed marked evidences of righteous indignation. It is not in human nature to take kindly to a recitation of one's shortcomings, and it is probably harder for the thoughtless and negligent participant in a wrong than for the offensively active miscreant to accept a rebuke. To be told that the important cities of the United States might, so far as their public school systems were concerned, be divided into two classes, the first consisting of those in which conscientious school boards studied every means of securing for the children the most advanced educational facilities, and the second composed of those cities where the schools were managed principally in the interest of the politicians, with little or no effort to provide the children with a proper education, and to be told further that our city was a formidable candidate for the lowest honors in the second class, was indeed cause for irritation, if the charge were untrue. Unfortunately, however, it was not the first time such things had been said about Baltimore, and if Dr. Rice's inclusion of her in the class of cities that had permitted their schools to become part of the spoils of ward politicians wounded the sensitive feelings of Baltimoreans, it was simply because of the timely appearance of his article. Dr. Rice's language, as it related to Baltimore in particular, was exceedingly mild, but the public conscience was at that time exceptionally wide-

awake, and the knowledge that the innocent, helpless children of the community were being deprived of one of their fundamental constitutional rights was, in addition to other burdens imposed by a corrupt gang of politicians, a little more than could be borne with equanimity. Such an awakening, however, even if we feel that it is a bit rude, is often for the best interest of the victim, and he may come to feel in the course of time that his frank friend has really done him a great service. It is fair to presume that the exposure of gross mismanagement of the schools played its part, more or less important, in bringing about the political revolution of the following year, the beneficial results of which we are now beginning to properly appreciate.

Mr. Rice's very excellent series of articles in the *Forum*, on the Public School Systems of this country, were worthy of the serious consideration of all persons interested in educational matters. Speaking of the schools under the control of spoils politicians, and after describing the poor results obtained from the antiquated and inefficient methods of teaching in vogue in most of them, he says: "The real causes for the existence of these miserable schools at the present stage of civilization are corruption and selfishness on the part of the school officials and ignorance on the part of the parents. It is in the cities where the school board appoints such superintendents as will make blind tools and fails to reappoint them when they are conscientious; in cities where it is not merit but friendship, business or politics that determines the appointment and discharge of teachers; in cities where the parents sit idly by while the members of the school board use their children for selfish purposes, and, with few exceptions, in such cities only where the science of education finds no room in the schools."

Such a characterization of the school system certainly applied to Baltimore at that time, and fittingly described the condition that had existed for many years. It was no news to those Baltimoreans who had given any serious thought to educational methods and had observed the conduct of the public schools of their city, for they had long known and repeatedly bemoaned the fact that there was nothing worthy the name of a system of education in these schools, the nearest approach to system in connection with the public schools being a systematic use of them for political ends. A great

many years before the Honorable Ferdinand C. Latrobe, then Mayor of the City, had felt the necessity for appointing a Commission to investigate the condition of the public schools and to report their findings, together with whatever recommendations for changes they might consider advisable. This Commission found a deplorable state of affairs. Scarcely any two schools in the city were conducted on the same plan, different kinds of text-books were used in different sections of the city, and there was little discipline, because a school teacher occasionally had stronger political backing than his superintendent or the member of the school board from that ward. Methods of teaching that had long been obsolete elsewhere were still employed in many of the schools, and, altogether, the educational tone was exceedingly low. The Commission, after much hard labor, devised a new method and presented recommendations embodying an excellent scheme for the reconstruction of the schools upon a modern basis and with a definite plan for the whole system in the city. But, a fundamental feature of the new plan was a reclamation of the schools from the grasp of the politician, and the report was pigeon-holed, to remain in obscurity, as it proved, for many years. Without this feature, the rest of the plan would have failed, and the adoption of this feature could not be secured, although the Mayor repeatedly recommended that the Council should take action upon it.

Naturally, the friends of reform were not quiet during all the years between the presentation of this Commission's report and the adoption of such improved methods in the management of the schools two years ago. Criticism of those responsible for the misconduct of the schools was more or less constant, and the critics were furnished with plenty of material in the frequent scandals connected with the appointment or dismissal of teachers, the purchase of supplies and the deals for the election of school commissioners. The *Civil Service Reformer* for March, 1885, contains a very good article which explains in a concise way the evils attending the conduct of the schools in that day. Perhaps it would be well to describe here what that conduct consisted of.

All public school matters were entrusted to a Board of School Commissioners, twenty-two in number, or one from each election ward in the city, who were elected by the City

Council. As a matter of "Senatorial Courtesy" their selection was left to the First Branch of the City Council, also composed of one member from each ward. In other words, every First Branch Councilman had the privilege, except in some instances where he belonged to the minority party, or was at odds with the ruling faction, of naming the School Commissioner from his ward. Such a Board must almost necessarily be composed of some very excellent and some very ordinary men, and in a Boss-ridden city the general average was likely to be considerably below par, since the Boss usually took sufficient interest in the choice of School Commissioners to see that a majority of the Board were faithful and unquestioning followers of his clan. The Board of Commissioners not being able as a body to keep track of individual schools, appointed a Committee of two for each school in the city, of which Committee the gentleman first named, usually the member from the ward in which the particular school was located, was chairman, and entitled by custom to the controlling voice. As a matter of fact, the second member of these Committees rarely interested himself very deeply in the schools cared for by his chairman. These Committees were supposed to look after the needs of their schools, determine the character and amount of supplies required, see that the superintendents and teachers performed their duties satisfactorily, that the teaching was of a proper kind, note the progress of the pupils, and report to the general board. Teachers were appointed by the Board with greater consideration for their letters of recommendation than for their scholastic attainments. All appointments and reappointments to the teaching staff were made for the term of *one year*, and right there you see a large African head loom above the wood-pile. It was said, as an excuse for this, that failure to reappoint was a much more delicate way of getting rid of an incompetent teacher than dismissing her. In practice the method was retained purely because of its political value. It made the School Commissioner a tyrant to be feared, and far from ridding the schools of incompetent teachers, it was this very class of teachers that was most benefitted by the custom, since they could retain their positions, as they had obtained them, by exerting political influence. With the end of the

scholastic year each teacher who desired to remain in the service had to make a new application, and if he or she could not secure the endorsement of the Commissioner who represented that school, there was small chance of returning, no matter what qualifications the teacher might possess.

The consequent result is obvious to all of you now—barter and sale of these positions wherever an unscrupulous commissioner obtained. In some instances considerable sums of money were paid to secure a teacher's position, and regular contributions made annually to retain it. In other cases, political services from the applicant's relatives or other favors from the applicant were demanded in payment for the Commissioner's support. Men and women of the proper American stamp who were thoroughly equipped for the work, and who were not by force of circumstances compelled to descend to this level, sought other avenues of employment, and the schools became a resting-place for incompetents. It is not meant that all the teachers were bad, nor were all the Commissioners; many of both bodies were creditable representatives of the city. Indeed, it is really remarkable that so much excellent work was done by many teachers under the great difficulties and disadvantages encountered under the old regime—good work accomplished not *through* but in *spite of* the system then in force. In this way the Commissioner commenced the construction of his own political machine, and in a few years we find him a candidate for the City Council or the State Legislature.

The question of awarding contracts for school supplies also formed a subject for abuse. All the tricks known to the spoils-monger were used at different times. Every Commissioner that had, or was supposed to have, any influence in the disposition of contracts was besieged morning, noon and night by the agents, regular or political, of contractors, members of the Board became financially interested in the manufacture or sale of school furniture or books, fake bids were introduced in answer to advertised specifications and contracts awarded on them, and the suspicion has sometimes been aroused that bids were falsified after they were opened. In fine, the spoils system was rampant in the public schools of Baltimore prior to 1899.

The new Charter, which became completely effective in the spring of 1900, contained specific directions for the or-

ganization of the Department of Education, from which I shall quote very briefly, and in justice to the special commission appointed about twenty years before, and to whose report I have already referred, I may say that the new system adopted by the Charter is almost identical with that which they recommended.

Under this Charter the Mayor appoints a Board of School Commissioners consisting of nine qualified residents of the city, "to be chosen from among those he deems most capable of promoting the interests of public education, by reason of their intelligence, character, education or business habits. In the selection of members of said Board and in their action in the administration of the public schools, ecclesiastical and party ties shall not be regarded, so that the public schools may be entirely out of the field of political and religious differences and controversies. The said Board shall confirm or reject all nominations of teachers made to it, as hereinafter provided, by the Superintendent of Public Instruction and his assistants. It shall not confirm the appointment of any teacher whose name does not appear upon the graded list hereinafter provided for. . . . All text-books, stationery and furniture required for the public schools shall be purchased by the said Board after a compliance with all the requirements of Sections 14 and 15 of this Article, except the requirement of said sections as to the Board to open and award said contracts." (This means that all bills of supplies amounting to \$500.00 or more must be advertised for competitive bids, and the exception noted allows this Board to open bids and award contracts instead of submitting the matter to the Board of Awards, as is required in other departments of the government.) . . . "The duties of the Superintendent of Public Instruction and Assistant Superintendents of Public Instruction shall include the examination of teachers and their nomination to the Board of School Commissioners for appointment or promotion, and the supervision of schools, and the study and suggestion of methods by which the public school system of the City of Baltimore may be maintained and improved. . . . It shall be the duty of the Superintendent of Public Instruction and his assistants, as examiners, to ascertain, by appropriate committees, the training, knowledge, aptness for teaching and character of every future candidate for the place

of a teacher, and to report to the Board of School Commissioners, graded lists of those whom they deem qualified for appointment, from which graded lists all nominations of teachers shall be made by the Superintendent of Public Instruction and his assistants to the Board of School Commissioners. All such nominations of teachers shall be made in the order in which the names of the nominees appear upon such graded lists. In the preparation of these graded lists the Superintendent of Public Instruction and his assistants shall ascertain by competitive examinations the relative qualifications of those candidates who desire appointment, and shall place the names of the accepted candidates upon said graded lists in the order of their relative qualifications, so ascertained by such competitive examination."

We have learned in some other departments of our municipal government, however, that the mere existence of a law providing for the application of the merit system in the appointment of officials is not all that is necessary to secure the desired results. To make such a law effective its enforcement must be entrusted to officers who are in sympathy not only with its letter but with its spirit. Whenever the application of a civil service reform law is left to the tender mercies of a practical politician that gentleman will find some means of destroying its virtue and avoiding its penalties. In the case under consideration the Mayor of Baltimore made a most happy selection. The Board appointed contained the names of two prominent lawyers, whose sterling honesty and devotion to the public welfare were well known to every one; an ex-Mayor who had for years given freely of his time and labor to advance the educational interests of the city; the President of the Johns Hopkins University, and now the President of this League; an eminent clergyman, a lady who was a leader in all matters of interest to women, the editor of one of the leading daily papers, and two well-known, reputable business men. Considered as a whole, this Board was recognized at once as possessed of special ability, capable of doing whatever work was required of it, and yet guaranteed to be conservative even when compelled to employ drastic measures. This conservatism was shown in the very first resolution adopted after their organization, and which reads as follows:

"Resolved, That the following minute be adopted as ex-

pressing the sense of this Board in regard to the several matters therein mentioned:

"The Board desire to have it publicly known that they will endeavor to make the Public School System of Baltimore as good as it can possibly be made, from the lowest grade to the highest. In order that this may be accomplished, they will proceed with strict economy, so that needless or extravagant expenditures may not be incurred, and that all the resources at their command may be directed to the maintenance and improvement of Public Instruction. To accomplish this end, they do not expect to proceed by any hasty, ill-considered or revolutionary methods. Such improvements as may be suggested will be carefully considered and gradually adopted.

"In particular, they desire to allay the apprehensions of many excellent teachers who fear that the whole corps is exposed to the liability of change. The Board will desire to retain in the service of the City all who show themselves worthy of the appointments they now hold."

The second resolution put an immediate stop to the practice of bringing improper influences to bear upon the Board members in the hope of thus securing positions or business patronage. It reads:

"In consequence of the large number of persons who wish to consult the Board of School Commissioners, it is announced that the office of the Board is on Madison Avenue, at the corner of Lafayette Avenue, and that all communications may be addressed to that place. Applications for positions should be in writing, addressed to the Board, and *not* to individuals.

"The members of the Board of School Commissioners feel compelled to decline to receive, individually, any books or stationery that may be submitted to them by publishers or dealers. Such books, maps and other articles may be sent to the office of the Board, where they will be accessible to all parties interested."

It became the policy of this Board to act as a central governing authority and to leave the regular administration of the schools to experts having experience in that work, and, with that end in view, they made a careful selection of a Superintendent, and were so fortunate as to secure the services

of a gentleman who had established a sound reputation in that line of work in another city, and appointed as his first assistant a gentleman whose services were especially valuable because of his long connection with and intimate knowledge of the Baltimore schools. The general system of managing the schools was altered so that unity and harmony of effort might be secured, and to this end the schools were organized into groups with a principal in charge of all the schools in a group, and a vice-principal in charge of each individual school therein. Frequent conferences of these officials were provided for, and the grouping in this way permitted of fixing the responsibility for the conduct of any school.

As had been expected, it was found necessary to cut out a lot of dead wood, and some jarring was felt as old political favorites had to give way to real teachers. No teacher was dropped without good and sufficient reason, and at no time has the Board ever played politics in the slightest degree. The roll of teachers contained the names of some persons both mentally and physically incapable of performing their duties. There were three who had been for periods of from eighteen months to five years in hospitals or sanatoria while they drew their regular salaries and paid a portion of it to the substitute engaged by them. Others were practically pensioners on the city through the influence of former Commissioners or Councilmen. If the loss of their positions injured a few of these, the beneficial results to the body of teachers far more than counterbalanced individual losses. Without any increase in the cost to the city, it was found possible to increase the salaries of all teachers in the primary schools and to provide for a gradual increase in the other grades, so that a scale of increasing salaries is now an inducement to teachers to work up in their profession and an encouragement to persons of ability to enter the service. A standard of eligibility for teachers' positions was established, graded lists of all passing the examinations have been kept, and it has been the inviolable rule of the Board to make all new appointments from the top of this graded list. Where an employee of special skill in some line was required, and the selection was not provided for in the rule, the Board has made every possible effort to get the best person available.

The methods employed in teaching have been altered

in some important particulars, and uniformity now exists throughout the city. From the standpoint of cost to the city we also observe marked improvements. At the end of its first fiscal year the Board returned to the City's Sinking Fund nearly \$40,000.00 of the sum that had been appropriated for its use, and in its second year estimated its requirements at \$71,730.00 less than the previous year's appropriation.

These are the two pictures I wish to present to you. The first, an illustration of a city whose Public Schools had been debauched to the lowest level by being permitted to become the toys of corrupt politicians; the other an illustration of a model Public School System, made so by the application of the Merit System in the appointment of school officials and the employment of honest business methods—the two tenets of Civil Service Reform. If it is of interest to you, it will not be because of the particular example cited, but because it calls to your attention another field for work which has not been heretofore very carefully tilled.

The Spoils System in Philadelphia.

CHARLES RICHARDSON.

THE preparation of this paper has been undertaken with reluctance for it is as ungracious and unpleasant to point out and oppose that which is wrong in the communities in which we live, as it is pleasant and popular to praise and support that which is good. The former is, however, just as much our duty as the latter, and I felt bound, therefore, to try to comply with the request of the committee.

At a meeting of the National Civil Service Reform League held in this city six years ago I had the honor of reading a paper entitled "Civil Service Reform in Philadelphia." If I was to use the same title at this time I should be open to the charge of forsaking fact for fiction, and seeking to substitute an imaginary Utopia for the depressing realities of the present. In 1896 I strained my conscience to the utmost limits of legitimate elasticity in the effort to show that we had here some valuable and encouraging beginnings of a Merit System, and that we had also grounds for hoping that these beginnings would be improved and increased and that a much better and more effective law might be secured. We continued and are still continuing our efforts to secure better laws, and in these efforts we have had the active and valuable co-operation of the Municipal League and other bodies and citizens, including the ladies of the Civic and New Century Clubs, but our hopes of success have not been realized. We have all read of some of those marvelous cases of double consciousness, in which the patient alternates between two entirely different personalities or conditions in each of which he loses all knowledge of what he felt, said or wished for in the other. Physicians tell us that such cases are extremely rare,

but we have found that among the gentlemen who control legislation in this State there are very few who are not victims of this mysterious disease. When the Legislature meets we can discover in these leaders no traces of that passionate desire for better laws, which seems to be their dominant motive when an election is about to be held. Their success in violating all their promises, and in defeating every attempt to secure an improved law, did not necessarily affect the law previously obtained, and the partial enforcement of the latter was continued with somewhat increased efficiency during 1897 and 1898.

In 1899, the advent of our present Administration had much the same effect upon our rudiments of Civil Service Reform, that Saint Patrick is said to have had upon the snakes of Ireland. The comparison is not quite fair, however, for in Ireland it was the Saint who drove out the snakes. The inauguration of the new mayor was speedily followed by radical changes in the Civil Service Board and in the positions of the secretary and examiners. By means of these and other measures the details of the system, which had previously been open to the public eye, were enveloped in a degree of secrecy which was in itself a *prima facie* proof of an intention to reduce the pretended administration of the law to an absurdity.

Under former Mayors, representatives of our local Civil Service Reform Association and other bodies, had been welcomed and urged to attend the examinations. A courteous request for a continuance of such opportunities was positively refused on the ground that it would be a reflection on the examiners. It may seem incredible that any American official employed and paid by the people should venture to offer such an excuse for concealing from the people the conduct of their public business. But in Philadelphia an executive officer can do things that neither the National Congress nor any other legislative body or court in the United States would be likely to attempt.

It is a matter of common knowledge in this city that under our present administration the Spoils System has much more than regained the little it had lost in previous years. I think it is safe to say that the political machine of Philadelphia is now without a rival, as a thoroughly organized and uniformly successful incarnation of the Spoils System. In the newspa-

and elsewhere, there has been an endless series of editorials and statements describing and denouncing its absolute supremacy, its merciless monopoly of every avenue to public usefulness, its vicious and demoralizing methods, its venal disposal of franchises, contracts and special privileges, its resort to every form of social, political and business ostracism as a penalty for independence, its unholy alliance and corrupt deals with the worst elements among the poor and among the rich, and its contemptuous disregard for public opinion, public interests and every moral, legal or political principle that might conflict with its purposes. Its constant tendency is to lower the ideals and standards of the people, and to encourage and protect its supporters in the commission of fraud, violence, bribery, perjury and other crimes, which have become common in connection with our local and general elections. The best and most authoritative and reliable descriptions of the Philadelphia machine, so far as I have seen, have been given by one of its ablest and most influential managers, in the form of addresses to the ward workers during the campaigns of 1901 and 1902. If this gentleman had been first hypnotized and then examined by Mr. MacVeagh, he could hardly have given a clearer description of the machine, or appeared to be more entirely free from any idea that there could be anything wrong or blameworthy in its objects or methods. It would probably be as difficult for this veteran leader to look upon municipal government from our point of view, as it would be for us to sympathize with his ideas of what it ought to be. I quote the following from the reports of his remarks in some of our leading papers :

"The cohesive power of the organization is offices. We have 10,000 office-holders, and they are all ours. Under the present administration no man can get an office unless he is loyal to the organization. If you want office or preferment in political life you will have to get it through the organization. Foreigners when they come here vote the Republican ticket. Why? Because we have the offices, and they expect favors from office-holders. In New York they vote for Tammany for the same reason. Our organization bears the same relation to Philadelphia that Tammany does to New York. The ownership of the offices means the power for distributing patronage and for conferring favors upon citizens generally who in return will support the organization. It is through this far reaching power that the great Republican Party is given its majority in this city and state. Without the offices this great organization would crumble and fall. To a man with his feet

on the ground and little food in the house, it is a godsend to get the \$2 or \$2.50. If a man cares to use his own money for hospitable purposes he should do it with discretion. Leaders of a division commit crime if they become inebriated while on duty. Your work before and on election day will be known to the leaders, and the man who achieves results is the man who secures preferment if any chance for political advancement offers."

Any attempt to add to that description, or to contrast it with what are generally supposed to be the character and objects of our great political parties, would seem to be superfluous.

It is hardly necessary to say to any student of the subject, that with such an "organization" or political machine in full control, it would have been easy to foresee the evils for which our municipal government has become notorious. The reckless extravagance, the corrupt grants of contracts and franchises, the injustice and favoritism, the enormous election frauds, the protection of vice and crime, are only some of the inevitable results of such a regime. It should always be remembered, however, that, as a rule, the participation of the public employees in all this wrong doing is only due to their belief, or rather knowledge, that their places depend upon their readiness to commit any crimes that their political bosses may require. Outside of what are looked upon as their political duties, the average of our public servants is good. Many of them would be a credit to any service in the world. They are, with few exceptions, intelligent, courteous and obliging. I believe it would be a great relief to nine-tenths of the force, if a man like Colonel Waring could be made mayor of Philadelphia, and the positions of all his subordinates made to depend solely upon their merits as public employees, and not at all upon their partisan or criminal activity. Men may be bad in some ways and good in others, and this is especially true when the badness is mostly due to the temptations or threats of those who can make or mar the offenders.

While it may not be strictly within the lines of my subject, it may be well to refer to the frequent assumptions that the conditions now prevailing here are a proof that the modern policy of concentrating the executive powers in the hands of a mayor is a mistake. Such assumptions are entirely unwarranted. If this was the proper time and place, it would be easy to show that if we had a well-drawn civil service law

and such additional safeguards as are set forth in the "Municipal Program" prepared and published by the National Municipal League, we could have avoided, or extricated ourselves from, the conditions we now have to deplore.

It is difficult to tell the truth about the Spoils System in Philadelphia without giving the impression that the management of our public business is worse than it really is. The leaders, who are the real rulers of the city, have been sagacious enough to spend most of the public money in ways that benefit and please the people from whom they take it. When they assimilate the apples of the public they generally leave large cores for the people to whom those apples belonged. As a result of this shrewdness on the part of our great captains of political industry, and the generally good conduct of our public employees and representatives in matters where they are left free to do what they think is right, we have had, and still have, many things to be proud of in connection with our laws and the administration of our public affairs. In fact, it is thought by some that if we were much worse off we would soon be much better off, and that our submission to corrupt government is due to our being too happy and too comfortable.

In reference to the prospects of Civil Service Reform in Philadelphia, it must be admitted that there is no certainty of any material improvements in the near future. There are, however, many possibilities which may open the way for the attainment of better conditions. Politics abound in surprises. Our friends in New York, Chicago, St. Louis and other cities can tell us of political machines which became the all-powerful tyrants and robbers of an apparently cowed and despairing people. And yet, as it were in an hour, their strength turned to weakness and destruction fell upon them. The immense majority controlled by the Philadelphia machine is in itself an element of danger for its masters, because it encourages them to go beyond the limits of popular credulity and patience, and because it is apt to lead to factional fights, and the quarrelling of the thieves is the people's opportunity. The city has nearly reached the limit of its borrowing power, and the raising of assessments to the full market value of real estate, and an increase in the tax rate which cannot be much longer postponed, may cause the taxpayers to give more care to the

management of their public business. Although a majority of the voters are as yet unwilling to ignore national issues and parties in our purely municipal elections, I believe that there is a growing appreciation of the evils of the Spoils System, and it is not impossible that the managers of the machine may decide that it will be wise to make some concessions to this sentiment. One of the most prominent candidates for the regular nomination for the mayoralty at this time is a leading politician and office-holder, who said to me some years ago, with a curious expression of amazed conviction in his eyes, "The time is coming when it will really pay the politicians to give the people good government." It may be remarked, however, that a political boss who should try to give the people good government would occupy a somewhat delicate position. If Captain Kidd had tried to prevent his followers from looting unarmed and richly laden merchant vessels, he might have found himself walking a plank that had no satisfactory end to it. It is further possible that the people of Pennsylvania may realize before long that it is essential for their own safety to insist upon the enactment of laws which will check the fraudulent voting, so as to prevent the city rings from obtaining the control of the legislature and thus subjecting the whole state to their arbitrary methods and exactions. If it was good policy I could name other possible contingencies which may enable us to break our fetters and take a long step forward, and those contingencies are such as have happened in other states and may happen here. In any event we can be assured that the opposition to Civil Service Reform in Philadelphia will be weakened, and the feeling in favor of it will be greatly strengthened by its progress elsewhere, and by the impetus it is now receiving from the admirable work of the United States Commission, and from the powerful personality and commanding influence of President Roosevelt.

But while we admit uncertainty in regard to the immediate future, our faith is absolute in the ultimate destruction of the Spoils System, even in Philadelphia. We cannot believe that any American city can permanently tolerate a system so exclusively composed of unbusinesslike stupidity, moral degeneracy and civic corruption. We know, moreover, that even if there were no other reasons for its overthrow, the

immense and steadily increasing business interests and business functions of our modern cities, and the fact that they are now compelled to deal with great social, educational and industrial problems, will make the Merit System indispensable, because the attainment of any satisfactory or enduring results will be impossible without it.

But whether the Merit System shall be established in Philadelphia while we are here to rejoice over it, or whether that felicity is reserved for our successors, we realize that it is our duty to omit no effort which may seem likely to extend the knowledge of its advantages or hasten the time of its adoption.

The Merit System as an Element in the Reform of the New York City Police Department.

GEORGE MCANENY.

THE problem of police administration, as it is presented in New York, may hardly be said to differ essentially from that of almost any American city that one might name. There are wide differences of scale, but where there are evils to be corrected they are, in their essence, curiously similar, and the remedies demanded vary only in the manner of their application.

That these evils are traceable in the main to the intrusion of what is understood popularly as "politics" has become a trite saying. To most observers it is perfectly clear that where policemen, of whatever rank, are taught that not only their appointment and tenure, but even their chances of advancement within the department are owed to political outsiders, their sense of accountability to official superiors, or to duty itself, must be, if not deadened, very much benumbed. The next step in demoralization is not unnaturally an assumption on the part of the policeman that if matters of organization and discipline are controlled from outside, matters having to do with the *work* of the department will also be. Leniency in law enforcement, or the outright protection of those lawbreakers whom mere leniency cannot cover—so long as these are parts of a system bolstered by any kind of "politics"—are then accepted as matters of course, and the chain of wretched consequences with which we are but too familiar, usually follows.

I do not mean to say that debauchery is the inevitable accompaniment of political organization of the police, for the resultant evils may, in exceptional cases, stop short of such a result. But in New York the alliance with the worst elements of

Tammany Hall in a system of "protection" of vice and crime will be remembered as one of the greatest scandals of present-day civilization. Of Philadelphia I will not presume to speak learnedly. But the history of like corruption, different in degree only; in Chicago, in St. Louis, in Minneapolis, and in many another city, has furnished us from time to time with most unpleasant reading.

While, however, the fact of police mal-administration has been apparent to everyone, there has been by no means so wide an understanding of the underlying causes, or of the proper corrective measures. Happily the present tendency is towards more attentive study and analysis of the subject, and here and there, it may fairly be claimed, excellent starts have been made in actual practice.

No one will contend that we can entirely cure by law those evils that are due to the proneness of individuals, both in and out of the department, to profit dishonestly, when they are willing to risk detection. None will deny, however, that through the operation of law the opportunities and even the temptations so to profit, may be minimized. The development of the discipline and general morale of the department, through which these things are so directly affected, must depend, in turn, on the plan of organization the law creates; and it will be high or low, as that plan is good or bad. Here must be laid the foundation of any betterment of conduct, and here, therefore, is the nearest field for those who seek police reform.

THE ELEMENTS OF CORRECT ORGANIZATION.

It would seem a very simple proposition that—the improper interference of "politics" being recognized as the chief source of trouble—the first efforts should be to get "politics" out, and, by a simple but mandatory substitution of the rule of merit as the determining factor at any stage of a policeman's career, to *keep* politics out. That this may ever be accomplished as effectually as, for instance, in the Army or Navy, may be too much to hope, but the means are certainly at hand for gaining the most that *is* practicable. Of cardinal importance among these are:

- (1.) That the government and control of the Police Department should be vested in a single responsible commissioner, or chief,

appointed and removable by the Mayor, and never in a board of "bi-partisan," or any other description.

(2.) That the uniformed force should be classified and graded on fixed lines, and that both original appointments and promotions should be based on the fitness of the candidate, in each case, determined through competitive tests, and conducted by a Civil Service Commission, acting independently of the appointing power.

(3.) That the power of discipline should be exercised strictly and consistently, either by the commissioner or some other authority, within the department; from whose decisions there should be no appeal, save where the question of correct or equitable procedure is involved.

Although the acceptance of these principles in practice has never been more than gradual, and although it might be difficult, even to day, to find all of them embodied in any one system, they have been tried sufficiently to show beyond cavil their practical and even fundamental importance.

The most serious hindrance to advances on these lines—next to the normal state of popular apathy—has been the usual hostility of legislatures, arising sometimes from honest distrust of the particular measures proposed, sometimes from other considerations.

THE FUTILITY OF BI-PARTISAN LEGISLATION.

In New York City, eight years ago, the police conditions were investigated by a Committee of the Senate, known in history under the title of its chairman, Mr. Lexow, of Nyack. Through the skill of this committee's counsel, a state of affairs was revealed that shocked the country and that called for the most radical correction. Nothing was brought out more plainly than that administration of the department by very "practical" politicians, and the systematic violation of the civil service laws, were chiefly responsible for those conditions. And yet in the legislation proposed by Mr. Lexow, and passed at the next following legislative session, in spite of strenuous public protest, a "bi-partisan" board of four members was expressly continued, while the control of the examining machinery was taken from the Civil Service Commission and vested in these "bi-partisan" appointing officers themselves.

Thus six years were lost, until, in 1901, the Lexow acts were repealed, and the present system was established.

The ingenuous theory on which the bi-partisan boards have always been defended by those who profit through their

operation, is that with an even division of the commissioner-ships between representatives of two parties, neither will yield any partisan advantage to the other, that each will check any attempted partisan trickery of the other, and that thus politics will *automatically* be kept out. In practice, so far as we have observed in New York, this worked quite the other way. If both sides really kept the political "faith" under which they had accepted appointment, the nearest approach to a balance was found in an approximately even division of spoils. But more frequently those commissioners chosen from the party opposite to that of the Mayor gradually become inclined to "sink" their particular kind of partisanship on occasion, and complacently to count themselves a minority, when "administration measures" were up, or privileges under distribution. So marked did this become towards the close of the existence of the last Tammany bi-partisan board, that promotions of Captains, made through violation of the civil service laws, were allotted in the proportion of five to one, the Republican members, who by that time, for their lack of valor, had been repudiated as such, meekly accepting the little end. At no time during this period was there, theoretically, any well-defined responsibility for either incompetency or wrong-doing. It was always "the other fellow." Our awful Devery, who having been ousted from the post of Captain for criminal conduct, was reinstated on a technicality by the Courts, was advanced rapidly over the heads of others in two higher grades, and appointed Chief, by the votes of two Republicans and two Democrats—but there have surely been times when neither party cared to stand as Mr. Devery's sponsor.

How far there still exists throughout the country the mistaken institution of the plural Police Commission, which has about as much basis in common sense as would have a proposition to vest the command of the Army in a Board of Generals having equal powers, I cannot say, but I am happy to count New York among the cities that finally have secured real and accountable executive authority in a single head.

STATUS OF CIVIL SERVICE REFORM LEGISLATION.

The lack of effective civil service rules, governing the organization of the uniformed forces, is still a wide one; but it is encouraging, as we stop to mark such progress as has been

made, to find that among the great cities not only New York, Boston and Buffalo, but also Chicago, Pittsburg, Milwaukee and San Francisco already have such rules, and that not a few other cities and towns have established merit tests that are apt, at least, to prove serviceable, for foundation purposes. New York and Massachusetts are still the only states where the application of the rules to all municipal departments is universal.

While a Police Department without some fixed system of discipline is now a rarity, there is still room for improvement in this respect as well, and it is seriously to be considered whether in the matter of checks upon discipline, designed primarily to protect the policeman against political or arbitrary discrimination, legislation has not been carried too far.

CONDITIONS IN NEW YORK.

The experience of New York City is certainly replete with suggestion to students of police conditions. There have been many trying failures to take advantage of obvious opportunities for betterment. Again and again, in legislation proclaimed as reformatory, the old mistakes have been repeated, and politicians, in the effort to save their own interests, have sacrificed correct principles with consequences disastrous to the interests of the city. The present system, which is certainly the best we have had, was offered as a great advance at the time of its establishment, but a Commission is already at work on amendments to correct what have been found to be its defects. Some of the evils developed in two-score years may be too deep rooted to yield to changes of administrative methods alone. Others certainly can be cured through the personal force of the man at the head, and by strict construction and enforcement of the laws and rules already at hand.

The only phase of the subject with which this paper is expected to treat in detail is that of the operation and effect of the merit system when properly established. On this phase the experience of New York is especially enlightening.

THE OLD METHODS OF APPOINTMENT.

The police of the metropolis number to-day 7,439 officers and men, for whose support and equipment an annual allowance of \$11,000,000 is made. Below the Commissioner, his

deputies and their personal clerks, the entire department is classified under the competitive civil service rules. During the ten years prior to 1895, the system of appointment under these rules was, however, very imperfect; and it was not until a year ago that the plan of promoting through competition was given a fair trial. It is practicable, therefore, to draw some very pertinent comparisons.

During the period immediately preceding the Lexow investigation, when police demoralization probably reached its blackest depths, there was understood to exist a species of fixed tariff for the sale of police positions. Candidates for original appointment as patrolmen paid \$300, patrolmen who wished to be roundsmen paid \$1,500, and so on up to the captainships, which were quoted at from \$10,000 to \$15,000. Many witnesses before the Investigating Committee testified to the payment of the \$300 sums, usually through "go-betweens," even indicating the proportion they believed to be the share of the examining surgeons before whom they had appeared. Three of the Commissioners were called upon to explain entries of \$3,333.33 each, in their respective bank-books, made during the few days immediately following the appointment of a particular Captain. Although, through one of those seeming complacencies of outraged justice that it is so difficult for the layman to understand, one man only was ever sent to jail as a result of the disclosures of the Lexow Committee, and he subsequently released on error—the moral conviction of guilt was universal. And nothing was proven more convincingly than that the reasons for the selection of officers of the Police Department, high or low, were usually the very antithesis of those of merit and fitness.

Further analysis would have shown to anyone, as it did to many, that this condition was the direct result of perversion of the civil service law, and that under a proper administration of the law it would not have existed. The rules of that period, while requiring both physical and written examinations for admission, permitted the Police Commissioners virtually to select their appointees from any part of the eligible list. By this method, the element of competition was destroyed, and as soon as a candidate had managed to pass the surgeons, and to secure perhaps very little more than the minimum rating of the civil service examiners, he might be chosen over the heads of

other competitors, for whatever reasons the Commissioners saw fit to recognize.

Where men secured appointment or advancement through corruption, the corrupt way of doing things was accepted as a rule of conduct. If large sums of money were paid to get positions, the next step was to use the opportunities offered by those positions to make good the outlay; and the subsequent progress of the police rake was usually a rapid one. If the office was owed to political intervention the results were scarcely less unfortunate. Although now and then men were no doubt selected for preferment on their merits, these must be counted the exceptions. The tendency, on the other hand, was to bring forward men of an inferior class, or those whose cleverness, if they possessed any, might be turned to questionable purposes.

APPOINTMENTS FINALLY MADE FOR MERIT.

With the election of Mayor Strong these methods were checked. One of the men appointed by the bi-partisan Board Mr. Lexow had provided, was Theodore Roosevelt. The civil service rules to be framed by the Commissioners themselves were drawn, therefore, on correct lines. Mr. Roosevelt disliked the separate examining system, which he recognized as vitally wrong in principle; but he made the best that he could of it, and later was instrumental in securing a return to the centralized plan. Word went abroad that there was a real chance for candidates with ability only back of them, and the next examinations produced a strikingly good lot of men. There were not a few soldiers among them, and a large proportion were those who had worked in other callings especially fitting them for the rough life a patrolman is expected to lead.

There was virtually no jumping about the list. The successful men were appointed in the order of their standing, and, still known to fame as the "reform cops," they form to-day the best element in the department ranks. In making promotions a wide latitude, sixty-five per cent., in the total marking, was left for the discretion of the appointing power. This worked fairly well under Mr. Roosevelt, who was much impressed by the limitations of the competitive system as a basis for rating ability developed within the department. Not

infrequently, however, he found a counter difficulty in the wide and sometimes erratic differences of judgment displayed by certain of his "bi-partisan" associates, in their estimate of the relative worth of competing officers.

Under the Greater New York charter, in 1898, and the general State Civil Service Act of the following year, the police rules of 1895 were merged in those of the Civil Service Commission, but their essential features were retained. The system of appointment was even strengthened. Selection under a close following of the order of the list was expressly required, and the machinery of examination was so carefully guarded that only through corrupt collusion of the civil service examiners themselves, could a man secure a place on the list to which he was not entitled. The sifting of candidates was done very thoroughly, so that the number placed on the lists was kept close to the number of vacancies actually required to be filled. For the examination of November 20, 1900, for instance, from among more than 4,000 candidates who appeared only 1,605 passed the medical and athletic tests, and only 835 the final written tests. Of this number 769 received appointments. For the examination of August 27 last, 2,724 were tested physically, 1,120 passing, and the number that will prove qualified when the marking of papers is completed will probably be less than 400. The class of men finally presented for appointment is excellent. In brief, so far as original selection goes, the new system has been firmly established, and though gullible candidates are still, now and then, induced to pay money to outsiders who pretend to be able to aid them, even this petty swindling is becoming of rare occurrence.

THE REFORM REACHES THE PROMOTION SYSTEM.

Once within the department, however, the policeman's reliance on merit has been until the present year, more than questionable. He is appointed on a salary of \$800 a year and advances at fixed time intervals through seven grades, until the highest policeman's rank, at \$1,400 a year, is reached. Beyond this, the power of advancement lies with the heads of the Department who, theoretically, have been required to make selections from among those ranking highest in free competition. Had the competitive rules been fairly administered the man who had started on his merits would

naturally have expected to advance in the same way. His first concern would be to make a good record. No spirit, of course, could lend more to the efficiency and discipline of the force than this. But under the plan of giving the appointing power wide discretion the rules, up to 1901, allowed the Police Commissioner, in all promotion examinations, to determine 75 per cent. of the markings. The Tammany Commission used these marks not to reward meritorious service but to pick the men they wished for their own reasons to advance, and to fix the ratings of these so that they would be bound to come to the top. Thus the treatment of promotions as pure patronage remained practically unchecked. When, in the examination for captaincies completed November 24, 1900, it was discovered by the Civil Service Reform Association that the manipulation of markings had surpassed in boldness all previous performances of the sort, public complaint was made, and as a result of the official investigation that followed, the eligible list was set aside as fraudulent. Nineteen captains had already been appointed from it, but their titles are now being contested in the Courts, and pending a settlement they draw the pay of Sergeants. In this case, as previously intimated, the promotions were almost openly divided among the four Commissioners and those among the two hundred candidates who were not desired were deliberately marked down to a point at which their names could not possibly be reached. The actual service-records went for nothing.

The ideal system of police promotion would no doubt give the head of the force the unrestricted right to select for positions of command those whose fitness he would best know how to ascertain. It has been urged that this principle at least is so important that it would be better, in order to give it recognition, to submit to the bad selections that will be made from time to time. When honest men are in control this argument always appears to have the greater weight. It is the judgment of the writer, however, that, rather than suffer the reaction toward demoralizing methods that comes inevitably when the administration has fallen back into political hands, it would be better to select men for promotion by lot.

In 1901, following the investigation to which reference has been made, the State Civil Service Commission brought about the amendment of the promotion rules so as to reduce

the allowance of discretion allowed the appointing power almost to a nullity. The ratings were required to be under three heads—50 per cent. to be based on the actual written record of the candidate, 25 per cent. on seniority and 25 per cent. on an examination on knowledge of police duties, laws and ordinances, etc. The first examination under this change was completed on April 14 last. As a result of it fourteen captains have been appointed, in whose selection the department had, in fact, very little say, but not one of whom was advanced through any other power or influence, except his own demonstration of fitness. Appointments of sergeants and roundsmen, based on similar tests are shortly to follow. The far-reaching significance of this change of method will readily be appreciated. The new system no doubt, will need improvement—particularly in the direction of securing more comprehensive service and efficiency records than those at present kept,—but as it stands it is incomparably better than the system it replaces.

THE REGULATION OF REMOVALS.

Though the matter of tenure comes properly within the purview of the merit system the actual regulation of removals does not belong to the civil service law. The system of discipline now in force in the New York Police Department, which has been very much discussed in connection with the present situation in police affairs, is established by the City Charter. The provision, contained in Section 300, is as follows:

“He (the Police Commissioner), shall have power and is authorized to adopt rules and regulations for the examination, hearing, investigation and determination of charges made or preferred against any member or members of the said police force, but no member or members of the Police force . . . shall be fined, reprimanded, removed, suspended or dismissed from the Police force until written charges shall have been made or preferred against him or them, nor until such charges have been examined, heard and investigated before the Police Commissioner or one of his deputies, upon such reasonable notice to the member or members charged, and in such manner of procedure, practice, examination and investigation as the said Commissioner may, by rules and regulations, from time to time prescribe.”

Section 302 defines the causes for which members of the force may be tried and disciplined, which include “any neg-

lect of duty, violation of rules, or neglect or disobedience of orders, or absence without leave, or any conduct injurious to the public peace or welfare, or conduct unbecoming an officer, or any breach of discipline." In another section the Commissioner is empowered in his discretion "to suspend without pay, pending the trial of charges," the assumption being that, if any officer so suspended is exonerated he will receive pay for the period elapsed, on his restoration to duty.

The operation of the trial clause has brought frequent complaint from those who have attempted to reform the force by purging it of men whose unfitness is morally clear, but who cannot be reached by direct evidence. The Courts have held that the proceedings must be formal, and that the officer under trial may, as a matter of right, be represented by counsel. Though their decisions have on some important points been conflicting, they have as a rule reserved the right to review the evidence taken and to reverse the judgment of the Commissioner where they deem such evidence to have been insufficient or "improperly admitted." Not infrequently they have ordered reversals on questions of procedure alone.

The authority of the Commissioner must be measurably weakened when it is understood among his subordinates that their laxities or even flagrant failures of duty will go unpunished unless they may be proven by exact evidence, and to the satisfaction of a power higher than he. At the same time there can be no doubt that the peculiar nature of police work requires that a high degree of protection should be given to members of the force, of whatever grade, and that the process of a fair and open enquiry into the justness of a complaint—if it can be fair alike to the men and to the Department—should be retained.

Everyone understands that a fairly large proportion of the men in the higher grades are to-day hopelessly bad—that systematic neglect of duty, or worse, continues in many quarters and that one of the most pressing problems with which the present administration has to deal is how to get rid of this element. But, though the question of removing through legislation the real embarrassments that come of unrestricted appeals to the Courts may well be considered, there are some provisions of the law as it stands the efficacy of which

should not be underestimated. The Commissioner, for instance, has power to frame or revise the rules governing the conduct of the force absolutely within his discretion. He may through these rules, hold individual officers to stricter accountability either for failure to detect and report violations of law, or for their personal acts, simply by changing the official definition of their duties—and either “neglect of duty” or violation of any one of these rules, however modified, would remain a legal cause for discipline. The rules, as they stand, form a cumbrous and unintelligible body at best and might well be revised and reduced to simplicity and directness, on general principles. As it has been held by the Courts that the penalty imposed for an offence, no matter how severe, can not be set aside, once the offence is proven, the scale of punishment may be fixed as he chooses, even to the imposition of the maximum penalty of dismissal for the minimum of delinquency. He may use the right of suspension pending trial to oust at once those offenders of whose guilt he may be morally certain. Finally, as the forms of trial procedure may be fixed as he prescribes, and need not, by any means, correspond to those of a Court, he may through the formal promulgation of such rules and regulations as the charter permits him to establish, simplify very greatly the present methods, and reduce materially the chances of interference by the Courts on questions of procedure alone. Up to the present time no such rules have been made, and it is in their absence that the Courts, falling back on the general rules of practice and pleading, so often find cause for interference.

The difficulties attending the exercise of discipline have certainly been exaggerated in the past, and by forceful use of the means at hand they might be overcome to an unexpected degree. In this direction the administration is moving. Fines of from one to three “days pay” for offences that in the army would be punished by disgrace are of much less frequent occurrence. Within the past week a patrolman, guilty of being for forty minutes off post has been recommended for dismissal. A year ago “three days” or a reprimand would have been considered sufficient correction for an error so trifling.

While however, the present trend of things is towards better use of the powers of discipline, and the tone of the force is keying up in consequence, the process of removing the un-

desirable is unnecessarily complicated by law, and legislation making the verdict of the Commissioner on evidence properly taken, the final word, may very fairly and properly be asked.

It will be seen that in the solution of our problem in New York we are making good headway, and that the value of the merit rule when rightly understood and rightly applied—in the matters of appointment, promotion or tenure alike—has been shown in unmistakable and most encouraging ways.

The Reform of the Consular Service.

CARL SCHURZ.

FOR many years various Chambers of Commerce as well as other organizations of business men have been urgently demanding a reform of our consular service. The reasons given for this demand are so justly and eloquently set forth in the last report of the United States Civil Service Commission that I can do no better than quote its language:

"Our consular service has attained to-day an importance far beyond that which it had in any previous period of our history. So long as our exports were confined to a few agricultural products, and we sold our manufactured goods mostly at home, the foreign consul was a man of comparatively little importance. But we have entered upon a new phase of our national career. We have become the foremost productive nation in the world. All other countries, even those of Europe, are full of undeveloped possibilities and enormous industrial changes are going on furnishing opportunities for the indefinite extension of our commerce. This is the time for America to seize the opportunities and to use its special genius for organization and invention in extending its industrial preeminence. A great deal has been done already with very imperfect governmental machinery and more highly developed individual initiative.—To maintain and increase our industrial prominence we ought to have by far the best consular service in the world. We should have the quickest and most reliable information as to our opportunities, as well as business representatives who are able to improve them. This can only be done by a consular service which is uniformly instructed and alert.

"Under our present system of patronage appointments there is little security that the men appointed are qualified for their duties. In some places, notably in important positions, in Great Britain, Germany, and other European countries, we have been fortunate enough to secure men not only of the highest natural capacity, but admirably equipped, and their consular reports have been a credit to the service and of immense value to our commerce. But in other positions, especially the smaller ones, the political removals and appointments which had been

repeated every four years up to the time of the present administration, have made the term of the consul's service so short that, with the meagre pay allowed, first-class men cannot be secured. Very few of our consuls, either in South America or in the Orient, are acquainted with the language in which they are required to transact much of their business. In non-Christian countries, where consuls are charged with civil and criminal jurisdiction, and may not only try civil causes between Americans and foreigners but may sentence our citizens to fine, imprisonment, or even death, American consuls are not lawyers. Yet it is in many of the more remote and smaller places that the best opportunities exist for extending American commerce and furnishing facilities for American investments.

"Appointments to these places are often made for political reasons, and often on account of the needs rather than the qualifications of the men selected, but as the Committee on Foreign Relations states in its report for 1896, 'To consider the offices merely as sources from which these partisan officeholders may derive four years of maintenance is as absurd as it would be to construct a navy to defend the country and to intrust its command to landsmen without experience for whom we might desire to provide a living and comfortable quarters.' It is evident that a consular service thus selected is necessarily imperfect."

Here we have the whole case in a nutshell: offices the performance of the important duties of which require special qualifications; and appointment to those offices, in great part at least, made for reasons of political or personal favoritism, without any regard to those qualifications. It can certainly not be said that the United States Civil Service Commission has overdrawn the picture. On the contrary, every person of experience in such things knows that with every change of administration consulates are among active politicians in greater demand than any other class of offices—in fact they seem to have a peculiar charm for people's imagination;—that almost every politician of any degree thinks himself fit to be a consul; that innumerable applications for consulships are made on the mere ground of, or claims for, recognition as rewards for party service, and that in a multitude of cases the main object of the applicant—not seldom frankly avowed—is to spend some pleasant years abroad in a respectable social position sustained by government pay, or to live in a climate more favorable to his wife's delicate health, or to be in a place where his daughters can get good music lessons cheap, etc., etc. I have in my time, when connected with the national government, and even as a private citizen believed to have some influence, myself been approached for

recommendations for appointments to consular offices, on such and similar grounds, innumerable times. And there can be no doubt that many appointments to consulships have been made for reasons no better than those I have mentioned.

That under such circumstances many unfit persons have found their way into the consular service, is not astonishing. Far more astonishing is it, that under such a system of selection the consular service has not become far more inefficient than we find it. For it must be admitted that while many lamentable failures are to be deplored, some of our consular officers have successfully mastered their duties and rendered the country excellent service. But it must be kept in mind that this has been the result rather of happy accident—accident that may well happen with a people of great mental alertness and adaptability—than of a rational and systematic method of selection; that it happened not because of, but in spite of, the absence of such a method; and that so long as consular offices are filled not on the ground of well ascertained merit and fitness, but as a matter of political or personal favoritism—of patronage—we shall never be able to count upon making our consular service what it ought to be.

Now, as to the remedy. The report justly says, that the best way to ascertain a man's qualification is to "examine him." But it also, quite truthfully, sets forth that every attempt to do this, and to exclude the element of favoritism, of patronage, from the appointment of consuls by mere pass examinations has resulted in utter failure. Every such attempt, from the time of Seward to the time of Olney, was no doubt made in perfect good faith and with the best of intentions. But in every instance, the pass-examination designed to test the qualifications of candidates proposed by "influence," gradually degenerated into a mere matter of form, and, as a rule, the candidate who had the strongest influence behind him, got the place. And when that point was reached, the ghastly masquerade of the pass-examination was either altogether abandoned, or it was for a time continued, to be despised and made fun of. Nothing can be more self evident to any man of experience than that, as the Civil Service Commission expresses it, "it is to the competitive system, which has so greatly improved the other parts of the service, that we must look for the permanent betterment of the consular branch."

To give practical effect to this sentiment, the Commission then urges upon the President the supreme importance of earnestly recommending to Congress the enactment of a law furnishing facilities for determining the comparative qualifications of applicants for the consular service by means of open, competitive, non-partisan examinations. And in response, the President in his recent message briefly refers to the subject in saying: "It is much to be desired that our consular system be established by law on a basis providing for appointment and promotion only in consequence of proved fitness."

Attempts at legislation to reform the consular service have actually been made. There are now two bills pending in Congress, both of which have great merit—one introduced by Senator Lodge of the Senate, the other by Mr. Burton in the House of Representatives. The Lodge bill creates certain fixed grades in the consular service, according to salaries, and prescribes the number of positions to be included in each grade. It provides that the President, within one year after the passage of the act, shall classify the various consulates-general and consulates in accordance with the grades so established, and that the present incumbents shall be gradually recalled for examination within two years, and re-admitted to the grades they occupy, on passing a prescribed examination, and that any one failing to pass such examination shall be dropped from the service. It provides further, for the interchange of positions in the same grade, by order of the President, without renomination to the Senate of the individual officer, so that in future a consul when nominated for original appointment to the Senate shall be nominated for the *grade*, and not for any particular place. It provides that vacancies in the higher grades shall be filled by promotion from the lower—although such promotions would probably require confirmation by the Senate. It creates an examining board, to consist of the Assistant Secretary of State, or such person in the Department of State as the President shall designate, one Consul-General or Consul, and a further officer of the State Department whom the President shall select. This board is to hold examinations for the lowest grade—the sixth—and to that grade alone appointments shall be made from the eligible list of those passing. The board shall, for each vacancy, certify the names of the five applicants who have passed the

examination with the highest credit, such certification to be accompanied by a detailed report showing the qualifications of each person certified. It provides, finally, for the readmission, under certain conditions, of persons separated from the service without fault or delinquency on their part, and also for the transfer, without examination, from the Department of State to the consular service, or from the consular service to the Department of State, of persons in a corresponding grade who have served for two years. There are no provisions with reference to removals.

The Burton bill provides likewise for a fixed classification and for original appointments to the sixth, or lowest, grade. It sets forth in detail the subjects of the examinations to be held for appointment to ordinary consulates, as well as to consulates that exercise an extra-territorial jurisdiction. The examining board is, however, to consist of the Secretary of State, or such person in the Department of State as the President shall designate, *in conjunction with the Civil Service Commission*—a provision which, I may remark by the way, seems to me preferable to that contained in the Lodge bill, for the reason that, to guard against the intrusion of influence the examining board should, as far as considerations of efficiency permit, be independent of the appointing power. The provisions regarding the recall of present incumbents for a qualifying examination, and the certification of five names for single appointments, and various other details, are the same as those in the Lodge bill. But the Burton bill finally provides that, after service of twelve months, "no consul shall be dismissed from the service except for due cause presented to him in writing, and he shall have power to defend himself from such charges as may be brought against him, and the board of three persons who shall be appointed by the President, from the consular service or from the Department of State, or both, shall weigh the charges brought against him, and his defence, if any, and may summon and examine witnesses."

It is not my purpose to discuss the various features of these two bills further than to say that while they might, perhaps, in this or that particular point be strengthened by amendment, they contain very valuable provisions—I mean not only the essential requirement of full competition, but also the appointment to grade instead of localities, the promotion from lower

to higher grade, the facilities opened for the transfer of consular officers from one place to another, and from consular to State-department service and vice versa—and so on—and that if either of them, even as it stands, were enacted into law and faithfully executed with a single eye to the public interest, the character and efficiency of our consular service would be greatly advanced.

But, I regret to say, we have to admit the fact that so far the efforts made to secure a reform of the consular service in the way indicated by these bills have not met with enough of favor in either house of Congress to warrant any sanguine hope of success. The strongest argument brought forth against the bills is that they are unconstitutional, inasmuch as they would limit the power of the President, given him by the Constitution, to "nominate, and by and with the consent of the Senate, appoint ambassadors, and other public ministers, and consuls," etc. I will not argue the question whether a law making the appointment of a certain class of officers dependent upon certain qualifications or requirements, would be in reality a violation of the constitutional provision; but I think I am not going too far when I say that even if in some way the constitutional objections were overcome, the opposition in Congress to either of those bills or to any other measure providing for subjecting consular appointments to competitive examinations would continue in full vigor, for the simple reason that this sort of reform would curtail the patronage which is claimed by Senators and Representatives as one of the most valuable and cherished perquisites of their offices. It may not be complimentary to our law-makers, but I assert that no fair-minded person can study the debates and the action of the two houses of Congress on matters touching appointments to office, without arriving at the conclusion that the patronage consideration, however it may be disguised, is an exceedingly potent one in the average Congressional mind, and that the idea of filching the juicy consular plums from his control strongly offends the ordinary Congressman's feelings as something especially wicked and un-American.

I see reason to fear, therefore, that the prospect of obtaining such legislation as the Civil Service Commission so eloquently ask for, and as the President in his message declares desirable, is by no means bright. It is reported, in the press,

that Senator Lodge intends to attach his reform bill at the present session of Congress to an appropriation bill for the consular and diplomatic service and thus to press its passage. We certainly wish him success, but that success, I regret to say, is at least very doubtful. He will certainly find great obstacles in his path, and we have to contemplate the chance of defeat.

But if this effort, and other efforts to obtain the desired legislation should fail, must we therefore despair of accomplishing the reform of the consular service? By no means, for the principal part of that reform, the introduction of the competitive merit system for the filling of consular offices, can be compassed without any legislation by Congress. It is simply in the hand of the President alone. He can say: "The Constitution confers upon me the power and the duty to nominate, and by and with the advice and consent of the Senate, appoint consuls. The business of nominating—of selecting suitable persons for nomination—rests with me. I consider it my duty to select for nomination the fittest persons I can find. According to my experience, the best available means to ascertain the fitness of candidates, and, as a general rule, to discover the fittest, is the open competitive examination. I, therefore, for my own guidance and convenience, to aid me in the performance of my duty to select the fittest persons for nomination, order that applicants for consular positions go before an examining board, designated by me, to be examined in competition with others, and that the examining board certify to me the three, or five (as the case may be) candidates who have passed the examination with the highest credit; and from the list so certified to me I shall select the person to be nominated. I shall also make my selections for nomination for the higher consular offices to be filled, from the incumbents of consulates of a lower grade by way of promotion."

If the President does this there will be no constitutional question as to an encroachment upon his powers, for he does it of his own free will. It will be his way of exercising his powers and of performing his duties. This action will stand above all constitutional cavil. It is true, the President can only nominate, and his nominations will be subject to confirmation by the Senate. It may be said that many Senators, perhaps a majority of them, may dislike this method of mak-

ing nominations, refuse to confirm nominations so made, and thus defeat the whole system. If this be so, the same majority would certainly also refuse their assent to a bill providing for the making of nominations in just that way. Consequently, if the President were to abstain from introducing the competitive system for this branch of the service on the ground that the Senate might systematically reject nominations so made, it would be equivalent to giving up the whole effort at reform as impracticable.

It is, however, more probable that if such a system adopted by the President of his own motion be absolutely impartial in its working, and so designed and conducted as to respond to the very general popular demand for a real reform of the consular service, Senators would not venture to balk its operation for patronage reasons very long. The President could take issue with the Senate on that point before public opinion with an immense moral superiority on his side. It is even possible that such a system, if properly established at the beginning and thus strongly commending itself to popular favor, might continue itself from administration to administration, not only as a thing righteous and beneficial in itself but also as good politics.

Nor would such action on the part of the Executive be without precedent. I refer not only to the increasing number of cases in which the President, deviating from what was formerly the customary way of filling places, has made many excellent appointments by transfers and promotions within the diplomatic and the consular service—and it is certainly not this class of appointments that has been found fault with; but I also call to mind what happened in 1877, when the then President, without any mandatory law behind him, of his own motion introduced the competitive merit system in the Custom House and the Postoffice in New York, as it was also introduced in at least one of the government departments in Washington. It is true, this action displeased many members of the Senate and of the House of Representatives, and it was fiercely assailed and denounced at the time. But it was maintained with quiet firmness and has borne good fruit. Thus it is not unreasonable to hope for an effective reform of the consular service, even if present attempts at legislation fail.

The Civil Service in the Philippines.

FRANK M. KIGGINS.

THE Philippine civil service law was favorably commented upon in this country at the time of its enactment in the fall of 1900. Its provisions have not only been mentioned in the press, but also in the official reports of the Philippine Commission, the Secretary of War, and the United States Civil Service Commission, while its principal features have, as I understand, been discussed at previous meetings of this body. I shall not, therefore, enter into any further discussion of the merits of the law itself, but shall confine my remarks to a review of some of the practical results which have been accomplished since its enactment.

This law was largely the work of Judge Taft himself, and was designed, as he expressed it, for the establishment and maintenance of an efficient and honest civil service in the Philippine Islands. He explained the object of the law in the public sessions of the Commission, and, when the members of the Philippine Civil Service Board were appointed, he stated to them, on behalf of the Commission, that a merit system of appointment and promotion was absolutely essential to the successful administration of the government, and that it was the desire of the Commission that the law should be enforced without fear or favor.

It is difficult to convey a clear idea of the progress that has been made, since the passage of the law, in building up a merit system in the Philippines, without considering some of the conditions that confronted those who were on the ground and assisted in working out the details preliminary to the change of the government from a military to a civil basis. The Philippine Commission desired that the civil service law

should be one of its earliest enactments; but before it could be passed, and especially before suitable rules could be prepared in accordance with its requirements, it was necessary to learn the facts in regard to the personnel and conditions of the service, the capacity of the Filipinos for different kinds of public employment, and the extent to which Americans would probably be needed in the administration of the government. Conflicting views were expressed by military officers in charge of civil departments as to the utility of the Filipinos. The heads of some offices, where only Americans were on duty, asserted that the Filipinos were incapable, and could not profitably be employed in any capacity; while other officers, who had fairly intelligent Filipinos in their employ, expressed the belief that many would be found who could with proper training do much of the subordinate work that had already been assigned to Americans under the military administration of the government. The Civil Service Board, which was organized a few days after the passage of the law, not only secured the views of officers throughout the service, but its members visited the different offices and workshops where Americans and Filipinos were employed, and consulted with the heads of leading commercial houses and banks in Manila in regard to the intelligence and adaptability of the Filipinos. No effort was spared to get at the facts, as this information was needed before suitable rules and practical examinations could be prepared. The information desired was cheerfully furnished, and while some of the military officers at the head of civil bureaus thought that civil service rules were being applied rather early, no opposition was shown in any quarter to their application to the service.

The Board found, from its investigation, that the Filipinos, on account of their unfamiliarity with the English language and American business methods, would be greatly handicapped for much of the work of the government until they had acquired sufficient knowledge along these lines. Our military occupation of the islands, and the fear of native treachery, had resulted in the removal of many Filipinos from important positions which they had held under the Spanish regime, while others were forced to take subordinate places and Americans were appointed in their stead. On the authority of the Philippine Commission, the Civil Service Board announced that it

would be a part of its duty to look into the conditions of the service with a view of finding out, from time to time, where Filipinos were qualified for positions held by Americans, and to recommend their appointment to such positions as rapidly as the conditions of good administration would permit. With this declared policy, the Board proceeded to ascertain what work could be performed by the Filipinos and what work would have to be done by Americans. It was determined, after personal visits to all of the different offices, to the quartermaster shops where over 300 Filipinos were employed in various mechanical trades, and to the Navy Yard at Cavite where a large number of them were similarly employed, that much of the subordinate work of the government could gradually be entrusted to them, and that they would be prepared to occupy many positions held by Americans as they acquired a knowledge of English and familiarity with the American methods. The fact was not overlooked, however, that the Filipinos are a tropical people with many of the limitations fixed by nature upon tropical races. They were found by comparison to be much more limited in capacity than the Americans. They are without originality, comparatively slow in their work, unable to take the initiative, and require constant direction except along routine lines, in which they excel; yet they have natural aptitude, will follow instructions, and are eager to learn all they can of American methods and ideas. The Board concluded that with Americans supervising and directing the work of the various public offices, and American foremen in charge of the workshops, the Filipinos could be employed to advantage in the subordinate positions of the service, but that it would not be wise, as a rule, to entrust them with more responsible work until they had developed greater capacity.

In devising examinations, therefore, it was decided to prepare two grades of tests along general lines—a full clerical test principally for Americans and for such Filipinos as could qualify; and a junior or partial clerical test expressly for the Filipinos. These tests were given in either English or Spanish, but, for positions in which a knowledge of both English and Spanish was essential, it was provided that the Board should test Americans as to their knowledge of Spanish and Filipinos as to their knowledge of English.

From the information compiled in November, 1900, it was found that of those occupying civil positions in the islands, 201 were American army officers, 2 American naval officers, 183 enlisted men, 386 American civilians, and 3,546 Filipinos, Spaniards and Chinese. This last class comprised over 82 per cent. of all the civilians in the public service, but were mostly employed as laborers, policemen or firemen. A majority of those occupying clerical positions, however, were found to be Filipinos. The examinations were prepared to meet these conditions of public employment. The Philippine Commission was at this time making arrangements to relieve the army officers from civil positions as soon as possible, but volunteer officers, whose terms of service were about to expire or had expired, were admitted to examinations for civil positions, while enlisted men were permitted by the military authorities to enter the competition, and, when appointed, were discharged from the military service. Many of the more important clerical and other positions for which Americans were required were filled in this early period, and continue to be filled, by former officers and enlisted men. It would have been a most difficult matter—in fact, practically impossible at the time—to conduct the civil administration of the government without the aid of those men. The strength and elasticity of our institutions are shown in the fact that many of our soldiers, who went to the Philippines to suppress an insurrection, remained as civilians to help in the organization of the government, and were found to be able to handle the pen as well as the gun.

The first examinations held by the Board were in March and April, 1901. They attracted much attention in Manila, and representatives of the English and Spanish papers were present to take notes of the proceedings which were published at length in all of the papers. Thirteen hundred and fifty-two persons competed, of whom 530 were English speaking applicants, composed mostly of Americans but of other nationalities as well, many of them being in the army, while 821, or over 60 per cent., were Filipinos. As I stated on a former occasion, the Americans filed their applications for examination without delay, but the Filipinos held back until the object of the civil service act and rules was explained to them. When they learned that the rules were for the good of the

service and to secure the most competent employees, they hesitated no longer, but came forward for examination. In these examinations, competing for public employment, were American soldiers and former soldiers seated side by side with men who had, as their applications showed, been officers and soldiers in Aguinaldo's army. The difference in the general education of Americans and Filipinos was disclosed in these examinations. In the regular clerk test, 61 per cent. of the Americans passed, while in the same test given in Spanish less than 17 per cent. of the Filipinos passed. In the simple educational tests, however, comprising what is known as the *escribiente* examination in Spanish, or third grade in English, which includes spelling, copying, letter-writing, penmanship and the fundamental operations in arithmetic, 62 per cent. of the Filipinos passed, all of whom were examined in the Spanish language. They found this easy test quite as difficult as the Americans found the more complete clerical examination. Examinations were also given in Manila at this time for various special and technical positions, including book-keeping, stenography and typewriting, inspectors, etc. These examinations also were prepared in Spanish as well as in English. The Filipinos were found to be entirely deficient in these tests, as not one was able to pass the stenography and typewriting examination, while only one out of 28 passed the bookkeeping test. Of the Americans, two out of six were successful in bookkeeping, and thirteen out of seventeen successful in stenography and typewriting. The results of the examinations indicated, however, that the Filipinos could be placed to the advantage of the service in many of the junior clerical positions and also in positions of messengers, watchmen, etc. Within the last year nearly fifty of them have been appointed junior typewriters, but as yet none have qualified in stenography, although many of them are diligently studying the subject.

One disappointing feature was noticed during the conduct of the examinations, which was the tendency on the part of the Filipinos, much more than in the case of Americans, to copy from each other or to otherwise avail themselves of helps during the examination. This was attributed to their schooling under Spanish rule, as they did not seem to appreciate that they had done anything especially wrong when they were called before the Board for explanation.

When they found, however, that cases of cheating or attempts to cheat were detected and resulted in the cancellation of their papers and their debarment from future examinations, they had more respect for the regulations, and little difficulty was subsequently experienced in this regard. As an illustration of the working of the Filipino mind in this connection I might cite one amusing incident where two Filipinos were summoned before the Board to explain the similarity of work on their sheets, especially where similar errors were made throughout. One of them was asked if he had copied from the other. He stated that he had, but that he did so with the best intention, as the hour was growing late and he and his companion were the only competitors left, and had mutually assisted each other so as to facilitate the examination and enable the examiner, who seemed to be getting hungry, to go to his lunch as soon as possible.

In these first examinations the temporary employes in the service, who were appointed without examination after the passage of the civil service act, but before examinations were prepared, were required by law to compete for their positions with applicants outside of the service. A large number of the temporary employes either failed to pass the examination or failed to attain a rating sufficiently high to entitle them to certification, and their places were filled by certification of others standing higher on the registers of the Board. The Philippine civil service act also authorized the Board in its discretion to require employes who were in the service before the passage of that act to pass an examination practically adapted to show their fitness for their positions, failing in which they were to be dismissed from the service. Under this authority the Board called upon the heads of the several offices to report the names of the least efficient employes for examination, and stated that in cases of proposed promotions of any employes who had not entered the service through examination, they be directed to report for examination to test their fitness for promotion. This action was carried out, and the least capable employes were dropped as a result of the examinations. I recall that at this time a number of the American employes in the service who had entered without examination were very indignant at the suggestion of an inquiry into their efficiency; and in the news-

papers they accused the Board of bad faith and of a desire to force them out of the service for the purpose of bringing in "carpet-baggers," as they termed them, from the United States. The Board held that with the examination of the least efficient employes to determine whether they should be retained in the service, and the examination for promotion of all other employes, the entire service would be placed on a uniform basis, and vexatious questions as to the status or efficiency of employes who had not been examined, as compared with those who had been examined, would not arise in the service, as has been the case in the classified service of the United States.

For the convenience of applicants the Philippine Civil Service Board has made arrangements so that residents of the Islands may be examined in any province by local boards consisting of provincial officers appointed for that purpose. It is understood that during this calendar year nearly 4,000 persons have been examined by the Philippine Civil Service Board, about two thirds of whom were Filipinos, which shows that they have confidence in the system and are striving to demonstrate their fitness in the examinations.

As a result of the information obtained by the Board, it stated in its manual of information, published in February, 1901, that there would be little demand for Americans residing in the United States for clerical or other positions which Filipinos were competent to fill, and that it would not be advisable for such Americans to seek positions in the Philippine civil service unless they had professional, technical or scientific qualifications or special clerical ability not possessed by Filipinos or American residents of the Islands. The Board further stated, however, that there would be a demand for Americans in such positions as stenographers and typewriters, Spanish interpreters and translators, bookkeepers to a limited extent, and financial agents and department assistants; that the salary of junior and under clerks and messengers, watchmen, laborers, and other minor positions, would not be sufficient to warrant Americans in the United States to go to the Islands to seek such positions and that examinations to fill vacancies in them would not be held in the United States.

This policy, which was definitely shaped three months after the passage of the civil service law, is now pursued in filling

vacancies in the Philippine civil service. At the time it was criticised by some of the American officials, military and civil, as impracticable. Many of the officials thought that Americans would have to be employed in the ordinary clerical positions to the exclusion of the Filipinos, and that the only positions which the latter were competent to fill were the minor ones of messenger, watchman, laborer, etc. The Board, however, was quite decided in its view, and as soon as the first examinations were held and the results determined, it began to take steps towards having some of the Filipino eligibles on its registers placed in clerical positions in the public service. This course met with opposition in certain offices where there were few or no Filipinos employed. In one office there was not a single Filipino on clerical work and the head of the office insisted that the work was such that no Filipino was competent to perform it. The Board called the attention of the Philippine Commission to the results of the examinations, and recommended that some of the Filipinos be assigned to that office. This recommendation was approved and in the appropriations for clerical work salaries were provided for Filipino employes. The head of the office subsequently resigned his position, and shortly after his successor was appointed ten of the Filipino eligibles were selected for his office. In subsequent visits made by him to the Board he called attention to their excellent work, referred especially to the work of two or three of them where excellent penmanship and accuracy in copying were required, and stated that he had no Americans in his office who were performing better work. The Board, in its report submitted in August, 1901, stated that with the rapid change from Spanish to American methods of transacting business, a knowledge of English was practically essential to an efficient discharge of the duties of almost all positions in the Philippine service in Manila, and that for this reason the Filipinos were laboring under a great disadvantage in the work. The Board remarked, however, that they were rapidly acquiring a knowledge of the English language, and that it was satisfied that as they became more proficient in English and more familiar with the requirements of the service, they would be able to fill satisfactorily the great bulk of positions occupied by Americans. I might say here that the Filipinos cannot acquire this knowledge in a few

months or a few years. The present young generation, now being taught in the public schools, must grow to manhood before the Filipinos can be profitably employed in some of the more important subordinate positions in the service.

Shortly after the Board submitted its report in August, 1901, I resigned and returned to the Civil Service Commission at Washington, where my experience since in connection with the Philippine work of the Commission enables me to outline what has been done in filling requisitions from the Philippines. The assistance rendered by the Civil Service Commission, as required under the instructions of the President of November, 1900, bears out the statement of the Philippine Board in the beginning of the work in the Philippines, that there would be few calls for Americans except for special or technical work. Thus far less than a dozen persons with ordinary clerical qualifications have been sent to the Philippines, and several of these were transferred from the service on account of their experience. On the other hand, nearly 300 persons with professional, technical or scientific qualifications have been selected through the agency of the Commission. Nearly 1,200 persons have competed in thirty-five different kinds of examinations held in the United States for the Philippine civil service.

In addition to the special examinations held from time to time, a standard general examination is given to test the qualifications of applicants. This examination is called the assistant, formerly the department assistant, examination, and includes general educational tests, as well as a variety of optional subjects which may be taken by applicants to show their special qualifications for different lines of work. Thus far over fifty persons have been appointed from this examination, a large majority of whom were bright college men who were willing to enter the Philippine service in the hope of making a career. They are given the assurance that, other things being equal, they will be preferred in promotions to higher administrative positions.

From examinations held by the Civil Service Commission, appointments have been made on calls from the Philippine Government of architectural draftsmen for the Bureau of Architecture and Construction; an admeasurer and customs experts for the Bureau of Customs; bookbinders, compositors, electrotypers, pressmen of different kinds, a paper expert and

photo-engravers for the Bureau of Printing; civil engineers for the Engineering Department; mechanical engineers for the cold storage and ice plant; cabinetmakers, a collector of forest botany, foresters and forestry inspectors, for the Bureau of Forestry; chemists of various kinds, plant pathologists and pharmacologists for the Insular Government Laboratories, bookkeepers, stenographers and typewriters, translators and interpreters, auditing clerks, disbursing clerks and department assistants for various offices; an assistant anthropologist for the Bureau of Non-Christian Tribes; boiler and hull inspectors for the office of the Captain of the Port; experts in plant culture and plant breeding; managers of government farms and experiment stations and a chief clerk for the Insular Bureau of Agriculture; medical inspectors and physicians for the Insular Board of Health, and a fire chief for the Fire Department. The character of these requisitions from Governors Taft and Wright for civil assistance is significant as indicating the decline of military rule in the Philippines.

Special care is taken in the selection of men for that service. They must not only satisfy the Commission as to their qualifications and experience, but there are also unusual physical requirements, which prevent some very good men from entering the service, but this is required by the Philippine civil service act, and is considered a necessary precaution, as it has been found to be in the interest of the service and of economy to send persons to the Philippines who are in the best physical condition.

The average man, before he will agree to go aboard the transport at San Francisco and sail for Manila, insists upon getting all the information he can secure in regard to transportation, the conditions of employment and the prospects of advancement in the service. At first it was believed in many quarters that the Americans sent to the Islands would be thrown in with a lot of semi-savages or sent to sections where the inhabitants were still in a state of insurrection. Peace has now been secured in practically all the provinces of the Islands, and from letters received from Americans stationed in different parts, it is evident that no further fear exists in regard to the personal safety of civil employes.

Most of the appointees take a practical view of matters

when they are told that they will not find all the comforts of home in the Philippines, and state that they are not going there to find such comforts, but to make a career for themselves. Among the first who were sent to the Philippines at the instance of the Commission were a number who were animated by the spirit of adventure, but the novelty has worn off and those who now seek information believe that good work in those Islands will produce better results than at home. Cases might be cited where Americans occupying desirable positions in the United States have voluntarily abandoned those positions for others hardly more remunerative in the Philippines. The information now sent out by the Civil Service Commission that those without special qualifications have no prospects of appointment has greatly simplified the situation, as it is generally understood that Americans in the United States are being called for only when no persons in the Islands can be secured to do the work required. Practically all the calls have been for persons with unusual qualifications. In the beginning much difficulty was experienced in getting sufficient eligibles. Owing to the prevalence of cholera, many of those examined and tendered appointments within the last few months have declined, but recent reports showing the abatement of that disease have been communicated to appointees with good results.

Those who are appointed are furnished with all the necessary information to enable them to decide intelligently whether it would be to their interest to accept appointment. For this purpose a Manual of Information relative to the Philippine civil service is published by the Bureau of Insular Affairs of the War Department and distributed to applicants. It contains the instructions of the President to the Philippine Commission, the Civil Service Laws and Amendments, the law providing for the Civil Government of the Islands and laws relating to conditions of service, hours of labor, leaves of absence, transportation of employees, etc. The object is to give each person a clear idea of the conditions and requirements before he decides to go to the Philippines. While, as stated, most of the inquiries from applicants are of a practical nature, some are received which can hardly be placed in that category. Several months ago, a man who was appointed from the stenography and typewriting register, and who had

about decided to accept, called at the Commission and stated that there was one other point upon which he desired information before going. He wished to know whether each transport was supplied with coffins. He stated that he had had a dream a few nights before that he would be buried at sea, and if he was to have any choice in the matter he preferred to be returned in a box. In another case, a man who was appointed said that he had consulted with his wife and that she had declined to go, and told him that if he went without her she would secure a divorce. He therefore asked to be excused from going after having accepted appointment, and hoped that he had not acted dishonorably in stating that he would go. Perhaps the most extraordinary request made by any person appointed was by a man who stated that he could not induce his wife to go unless arrangements were made to take their cow and stove aboard the transport. He subsequently declined to go for other reasons. These are a few out of the ordinary, as the average inquirer takes a practical, common-sense view of things, and is satisfied with the information which he receives and the liberal arrangements which are made to induce Americans to go to the Islands.

It may be of interest to state that those who are appointed are required to sign an agreement to stay two years and to pay their traveling expenses from their place of residence to San Francisco, while their traveling expenses from there to Manila are borne by the Insular Government. After six months satisfactory service this expense is refunded. Half salary is allowed from the date of embarkation at San Francisco and full salary from the date of arrival in the Islands. Provision is also made for the transportation of the families of employees.

A liberal law has been enacted in regard to leaves of absence. The annual leave is graded according to the salary received, it being assumed that those who are receiving the largest salaries have the more responsible and difficult work and require more time for recuperation than those on routine work. Employees who receive less than \$600 a year, practically all Filipinos, are granted 15 days' annual leave; those receiving \$1,200 or less than \$1,800 are granted 30 days; while those receiving \$1,800 or more are granted 35 days, all of which leave is in addition to Sundays or days declared

public holidays. The leave is also cumulative in character, as in the British India service. An employe of the Philippine civil service for three years or more may, if he requests, upon his retirement from the service, be furnished with transportation from Manila to San Francisco and be allowed half salary for thirty days, in addition to full salary for the period to which he may be entitled as leave of absence under the provisions of the act. In addition to these liberal provisions, the Civil Service Commission at Washington in its revised rules, now being considered, is proposing a rule that any officer or employe who has served three or more years in the Philippine civil service shall be eligible for transfer to the classified service of the United States, subject to the other provisions of the rules. If this rule should be adopted it would be an additional inducement for competent men to go to the Philippines, as they would have the assurance that after satisfactory service they would, at the proper time, be considered for transfer to the home service.

Requisitions for appointments from Governor Taft are usually received by cable. A special code was prepared by the Philippine Civil Service Board for this purpose to save expense and delay in making appointments. The requisitions are forwarded to the Secretary of War and then transmitted by the Bureau of Insular Affairs of the War Department to the Civil Service Commission. The Commission acts upon these requisitions by selecting suitable eligibles from its registers and reporting them for appointment to the Bureau of Insular Affairs. The only basis for selecting eligibles is their relative fitness as disclosed in their examination papers. In deciding upon the best qualified persons it may be stated that complete harmony exists between the Civil Service Commission and the Bureau of Insular Affairs, which Bureau acts for the Philippine Government in making appointments of suitable Americans whose qualifications are tested by the Commission.

Up to date the Commission has been able to fill all requisitions for professional men with few exceptions. The only ones now remaining unfilled are for some department assistants and two or three civil engineers. In some cases considerable delay has occurred between the date of the call for appointees and the date of sailing for Manila. This delay,

however, has been unavoidable, as appointees with the qualifications desired have insisted upon extensions of time before their departure, while in other cases transportation could not be promptly provided on government transports on account of military necessities. Little difficulty of this kind is anticipated in the future, as the large reduction in the military force in the Philippines lessens the use of the transports for military purposes and will make it practicable to provide transportation for civilians without unusual delay, while the ample registers which are being established for the Philippine service will enable the Civil Service Commission to select other eligibles without delay when those who are selected decline appointment or ask for unreasonable extensions of time before departure.

Of the large number of Americans sent to the Islands through the agency of the Commission five have been reported unsatisfactory on account of their habits or lack of efficiency. It was to be expected that some of those who were sent where they found a different type of civilization and were free from the restraining influences of home life would turn out unsatisfactory, and it is gratifying that so few cases of this kind have been reported.

The interests of employes who go to the Philippines are safeguarded in a section of the Philippine civil service act which became effective last October, providing that all vacancies in the higher positions shall be filled by promotion, thus preventing the appointment of persons outside the service to these positions. This encourages employes to do their best, as they have the assurance that the most capable will be advanced, as vacancies occur, to the highest positions in the service.

While the Philippine civil service act has been amended a number of times since its passage, every amendment has been made with a view of strengthening the act or extending its provisions. Practically all the positions in the Philippines are now classified with the exception of teachers, and it is understood that these positions will also be classified at an early date, which will complete the classification of the entire service.

The Filipinos are being provided with educational facilities and are rapidly acquiring a knowledge of the English language. With this knowledge and training in American

methods, there will be less and less need for Americans in the public service of the Islands. The plan pursued in the British India service with respect to the employment of Englishmen is the plan that will undoubtedly be followed in the Philippines in employing Americans. In the British India service, 97 per cent. of the positions are filled by natives, but a very large proportion of them understand the English language. As the Filipinos acquire this knowledge, the proportion of them in public employment will naturally be increased to the exclusions of Americans, and it is only a question of time, perhaps not more than 15 or 20 years, when no Americans will be needed except in executive or supervisory positions. With the elimination of Americans from practically all subordinate places, there ought to be no more difficulty in securing competent men from the United States for the more important work in the Islands than there is experienced in the British India service in securing qualified Englishmen for that service, which they are glad to enter for the career that it affords.

No Americans should be sent to the Islands unless they have qualities which are likely to improve the condition of things. Those who are sent should be representative men, as the Filipinos are a sensitive race and form their opinion of our country and its institutions from the class of men sent to the Islands. The reasons for sending only the best men to the Philippines are well summarized in a recent publication of the Bureau of Statistics of the Treasury Department, entitled "Colonial Administration from 1800-1900." I shall conclude this paper by an extract from this publication which, although it relates to colonial conditions in general, has special application to the Philippine service.

"In no part of the government service can there be a greater necessity for careful selection of men or for careful training for such service. Located at a long distance from the seat of the home government, removed in many cases from close official observation and scrutiny, free to a great extent from the opportunity of criticism by individuals or the press, or both, and subjected to peculiar temptations through opportunities for profit by business or administrative work, it is necessary that the person chosen be of the highest moral qualifications; while the fact that they must rely more on their own judgment than those who are constantly under supervision, or who have constant opportunity for consultation requires that they be possessed of high intellectual qualities and good training. The further fact that without

an acquaintance with local conditions, laws and customs in the colony they are of comparatively little value increases the importance of retaining them permanently in the service in case they prove faithful and capable."

I fear that I have consumed more than the time allotted me. I must plead as an excuse, however, the scope of the subject assigned me, and I trust that from this review of the work accomplished you are satisfied that progress has been made in establishing, what Governors Taft and Wright, and the Philippine Commission desire, an honest and efficient civil service in the Philippine Islands.

Civil Service Reform Principles in Education.

LUCY M. SALMON.

IT is a well-known truth that the most conservative of institutions are those through which the processes of education are accomplished. Education clings to the old and reverences the past; it is guided by tradition and governed by precedent. It is on its guard against the adoption of new ideas and the acceptance of novel theories, and it has ever been a follower rather than a leader. This condition would be surprising were not an explanation for it readily found in the long domination of the educational system by that even more conservative influence, the church. For centuries the church led and education followed.

This conservatism has not been changed by the partial substitution of civil for ecclesiastical control; it is now the State instead of the church that leads, while education still follows. This condition is well described by Mr. E. J. Lowell, when he says of the political system: "It is characteristic of the European family of nations, as distinguished from the other great divisions of mankind, that among them different ideals of government and of life arise from time to time, and that before the whole of a community has entirely adopted one set of principles, the more advanced thinkers are already passing on to another." *

If this principle is applied to the relative position of the State and education, it must follow that the starting point of the statesman becomes the goal of the educator. Hence the educational system constantly suffers from the employment of antiquated political methods that have never represented our

* *Era of the French Revolution*, p. 1.

highest ideals, and from attempts to employ principles not in harmony with the generally accepted ideas of the best form of political government. Illustrations of this slower pace, in which education follows in the footsteps of the State, are seen in the survival of denominational schools long after the separation of Church and State, in the adoption and retention of the monarchical principle in educational organization long after its abandonment in the political world, and in the educational disfranchisement of all officers of instruction so far as regards the choice of their superior officers.

It is therefore not surprising that it was long after the cancer of the spoils theory was introduced into the body politic before its corrupting effects were noticeable in the educational system. But once introduced, the evil has spread with great rapidity until its extent is perhaps most realized by those whose activities have been given to checking its growth in political life.

The organization of educational work has lent itself readily to this rapid development of the spoils evil. In the absence of a national educational system, the states have governed their educational affairs in their own way. Politicians and well-meaning philanthropists have thus often been able to control the general situation, to the extent of requiring the teaching of certain subjects, like American History, in the interests of patriotism, * or prescribing that certain definite tenets should be taught, such as the injurious effects of alcoholic drinks, the benefits of a protective tariff, and the virtues of bimetallism.

In the choice of State superintendents of public instruction, politics, rather than merit, has sometimes been considered, † while the adoption of uniform text-books published by the State opens up unlimited possibilities for corruption.

But the stronghold of the politician is in the local administration of the public schools in towns and cities. In these

* It is interesting to see the insistence on this idea in the smaller States. The State Legislature of Nevada, for example, instructs its teachers "to kindle the fires of patriotism."

† Some years since a State superintendent of public instruction was elected by a State Legislature and some of the daily papers of the State congratulated the public on the ideal choice made, since the person elected had served faithfully the cause of the republican party.

places the management and control of public educational affairs in the hands of two distinct bodies—the board of education and the superintendent. Of these two, the more important is the board of education. What are its functions? They may be classed under three heads. The most obvious are the business duties or those that concern the educational plant. These include the purchase of school sites, the construction and repair of buildings, the decision in regard to methods of heating, lighting, ventilation, and sanitary equipment; all of these duties carry with them the letting of large numbers of important contracts.

A second class concerns the material equipment of the schools. This comprises the purchase of school furniture, necessary apparatus, libraries, decorative material, stationery and similar supplies, and the selection and payment of janitors, watchmen and other caretakers.

A third class is connected with the specific field of education. This includes the selection and appointment of superintendent, principals and teachers; the decision in regard to the establishment of technical schools, commercial schools, evening schools, training schools for teachers, general industrial and mechanical training, courses of public lectures, university extension and similar educational activities; the choice of text-books and finally the general questions connected with the curriculum.

In view of these manifold activities, it is important to inquire how the members of the boards of education receive their office. Three general types of school boards are found. The oldest of these is a numerous body, made up of members representing the various wards of the city and residing in them. Election to the school board of this pattern is sought by political aspirants, who reason that, judging by the past, the school board is the first round in the political ladder that stretches from the street to the Presidency. The temptations, therefore, are manifold to purchase for school sites property that may be ill adapted for school purposes, but property that a brother politician desires to sell;* to appoint for the construction of school buildings a local architect who builds

* In one city the high school is located on the top of a high hill difficult to be reached on foot, while street-car lines passed on two sides of it and the resulting noise is almost intolerable.

dwelling-houses, churches, court-houses, banks, opera-houses and school buildings with equal lack of appreciation of the different uses each building is to serve; to let contracts for the purchase of supplies to those whose political support is sought; to decide in favor of the establishment of a training-school for city teachers, not so much from a desire to have better trained teachers as from a wish to keep at home young men and women who may be centers of political influence.

It is school boards, thus elected, who have ruled that only residents of a city may occupy positions in the schools; that only one member of a family may be appointed, and that married women may not be appointed, because, if married, presumably they do not need the salary. It is school boards so chosen that refuse to raise the salaries of teachers on the ground that members of the same family have already had their salaries increased; that, in some localities, give positions in the schools to the lowest bidder, and in others to those who contribute most generously to the campaign funds of the dominant political party; that promote teachers on the principle of priority of appointment—irrespective of their qualifications for the advanced position, and conversely, cut off the last teachers to be appointed, no matter how successful he may have been, if a reduction in the teaching force is necessary; that appoint young women to important positions with the object of retaining the political support of the families they represent;* that give places to young men for the sole reason that they have a political "pull," † that install, as principals of schools, men who

* A few years ago one of the Tammany district leaders had secured positions in the public schools of New York city for four sisters of one of his political subordinates. When the subordinate, at one time, refused to follow his leader, charges of the basest ingratitude were preferred against him by all the members of the Tammany camp.

† In one of our large city high schools, a department of biology was recently established. Among the candidates for the position of head of the department was a young man of small education, who had made a failure as a lawyer, and a young woman, a college graduate, who had made a special study of biology. The broken-down lawyer was "in" with the powers in control and received the appointment. Public opinion and the attitude of the students soon compelled his resignation and the young woman with some knowledge of the subject ultimately received the appointment.

murder the King's English, and that remove teachers who are unwilling to serve the personal ends of its members; * that furnish the schools with geographies twenty-five years old, and with text-books in science written twenty-five years ago; that purchase stereopticons without lantern slides, and that contract for chromos by the score to be used as wall decorations. †

It is in connection with school boards of this type, elected by and from the wards as their representatives, that the worst scandals in the administration of the public schools have arisen. Their attitude towards their duties is perhaps illustrated by a recent session of a school board, where a member said with pride that he was not an educator in any way, shape, manner, or form whatever, and that if the people elected him on that supposition, they made a great mistake. ‡

The manifold evils of the method of electing school trustees in this manner may well be summed up in the words of a citizens' committee that has for many years been attempting, as yet ineffectually, to free one of our great cities from the grip of the spoilsmen. Where the ward system prevails, the committee reports, "the natural tendency is for the holders of places on the board to be governed by considerations of ward politics, rather than by the interests of the schools at large. This is not theory; at present, janitorships are traded off, and even principalships of schools in certain wards are regarded, as the prerequisites of representatives of such wards.

* One teacher has recently been compelled to resign because she refused to use her influence to secure a railway pass for the president of the board, from her uncle, the president of one of the great trunk lines.

† A few years since I visited the public schools of a large city that numbered among its civic associations, one for the encouragement of art. This association had a large and invaluable collection of prints, illustrating literary and historical subjects. Each was tastefully framed in passe-partout and bore in print a full explanatory description of the scene, locality, event, building or person represented. These pictures were loaned to the different public schools, and were changed every three months. The week I visited the schools, these, by the authority of the school board, were being replaced by hundreds of cheap, meaningless pictures gaudily framed, that had apparently been purchased by the wholesale.

‡ *Report of the National Educational Association, 1900, p. 618.*

Buildings are secured for wards by members having the greatest 'pull,' and other districts are deprived of schools, regardless of the needs of such districts. The whole school management becomes a system of trading of ward interests. The school district should be a unit if economical and systematic arrangement is to be possible."

The stream cannot rise higher than its source, and if school boards are elected for political or partisan reasons, superintendents and teachers will be elected on similar grounds, teachers will come to regard their occupation as a trade, not as a profession,* educational funds will be mismanaged, inferior school equipment will be supplied, and the educational results will be far from commensurate with the expenditures made. The ultimate result of this degeneration has been the establishment of private schools supported by the wealthy classes, who have paid from one pocket heavy fees for the education of their children, and from the other pocket still heavier tolls to the political highwaymen who have used the school funds to secure their own political preferment or personal advancement. Those who cannot afford to send their children to private schools have been obliged, if their protest against it has been unavailing, to accept, with all its baneful results, the extension of the spoils theory from the political to the educational system.

An awakening appreciation of the impossibility of having an efficient administration of the schools as long as their control is in the hands of a numerous body elected on a partisan ticket has led, in some places, to the substitution for it of a small body elected on a general ticket or appointed by the mayor. Experience has seemed to show that if governing bodies are so elected or appointed there is less danger of jobbery and log-rolling in the administration of the schools on their financial side, and that teachers will be less likely to be

* The Chicago Teachers' Federation recently voted to enter the ranks of the trades union and to ask admission to the Chicago Federation of Labor—*Literary Digest*, November 22, 1902.

In New York city, the Central Federated Union voted December 21, to attempt to organize the public school teachers of the city, and directed its organization committee to call a meeting of the public school teachers for the purpose.—*The Tribune*, December 22, 1902.

appointed for reasons of political influence, religious affiliations, family connection, personal popularity, or a desire to protect home industries, than on account of character, scholarship, professional training, and teaching ability.

So much is the political control of the schools to be deplored that it would seem as if every community would be on its guard against the insidious rule and use all means possible to avert such an unfortunate condition; but the general apathy that characterizes nearly every town in the administration of its local political affairs is still more in evidence in the administration of its educational work. So little has as yet been accomplished to rid the schools of political influence that we seem not yet to have reached the parting of the ways. The superintendent of schools in one of our great inland cities has recently written: "I have yet to find the city where political influence does not, to a greater or less extent, find its way into the school department"; and his words would doubtless be echoed by large numbers of his fellow-superintendents.

It is a matter of great congratulation that the principles of civil service reform have taken such deep root that few are found who openly call in question their wisdom and efficiency. In the forty years that have intervened since Mr. Jenckes began his heroic struggle in the House of Representatives for the substitution of the merit system for the spoils system in the political field, enormous progress has been made, and political parties now vie with each other in protestations of attachment to the cause of civil service reform. But it must be said that the victories have, as yet, been largely within the domain of politics. The spoilsmen have been driven from the great departments of public administration in Washington and from state and municipal strongholds only to redouble their assaults on the public school system. While men have slept, the enemy has sown the tares!

That this should be the case has been but natural. The evils of the spoils system, as found in the national government, are far more patent than is their manifestation elsewhere, because of the great publicity that attends all presidential and cabinet appointments. Yet the opportunities offered the spoilsmen are in the aggregate far greater in the educational than in the political field. The total number of

teachers approximate 500,000, while the total number of civil officers is less than one-half as many.

Mr. George William Curtis said, in an address delivered in 1891 before the National Educational Association: "The alphabet is the ally of liberty, and in any accurate account of the forces that have made America, the public school must stand first." But the public school, if it is to fulfil the sanguine expectations of those who would predicate Mr. Curtis' words of the future, rather than as yet of the past, must have an ally. The great masses of those connected with it are not only powerless to accomplish reform, but they fall an easy prey to the assaults of enemies. The public school is inert, it lacks initiative, it is a follower, not a leader. All the more important, therefore, is it that the leadership should be wise, capable, and disinterested.

Is it too much to hope that this body of influential men, who have already accomplished so much in wresting the civil service from the clutch of the grasping politician, will turn its attention to the public school and make it indeed—to adapt the words of Mr. Curtis—the great force that lies behind the ideal America? Such effort would be doubly repaid in the building up of a great constituency imbued with high ideals of public service.

When a reform in the civil service was agitated in England, Sir James Stephen said that a moral revolution was necessary in that country before the reform could become an accomplished fact. Could the educational system be freed from the curse of the spoils evil, and could the youth of the land be taught by example and daily conduct, as well as by precept, the higher ideals of public life, the moral revolution that would result would turn the ideals of the National Civil Service Reform League into accomplished facts.

The Spread of Civil Service Reform Principles through the Agency of Women's Clubs.

MRS. IMOGEN B. OAKLEY.

IN the New York public schools it is the custom to test the ability of the primary classes in English composition by writing the part of a story upon the blackboard, and then requiring the class to complete it in their own language and according to their own individual ideas. Recently a teacher in one of the East Side schools wrote upon the board this little narrative:

"A poor little girl was once selling apples at a railway station. A train came in and several of the passengers bought fruit from her, and then went back to their seats. Just before the train started another man came to the steps and asked her how much she charged for her apples. 'Three for ten cents, sir,' she answered. 'Then give me three,' he said, and took the apples, but before he had paid for them, the train pulled out. The man thought he would save the ten cents by not paying for the apples so he went back into the car, leaving the little girl crying on the platform. But the mayor of the town was sitting in the next seat, and had watched the whole incident. 'Now,' said the teacher, 'what did the mayor do?'"

One little girl who had grown up on the East Side and had unconsciously marked the ways of some city officials,—and had she lived in Philadelphia her experience would have been the same,—continued the story thus:

"Then the mayor was glad because he had seen it all, and could make the man give him half the ten cents. So he went up and told the man that he had seen what had been done. And of course the man gave him five cents right away."

An acquaintance of my own in a city of Eastern Pennsylvania consented to serve as a candidate for a school director

in her ward. It was considered advisable that she should be on the ticket of each party so she and a committee of her supporters waited upon the ward leader and asked that her name be placed upon the regular party ticket. 'If it were any other office,' said the boss, 'I might consider it, but a man is needed as a school director. Why, school directors do all my dirty political work.'

Before the last February election in this city, a candidate on the machine ticket made a stout defense of the right of the machine to assess public school teachers, although but 220 of the 3640 teachers are men and entitled to vote. "School teachers are at the public crib the same as policemen and firemen," argued the man to a Ledger reporter, "and should be assessed just the same."

It is facts like these that are awakening the women of the country to a realising sense of the inherent immorality of the spoils system. If the public schools are to be managed by men who will accept orders from political leaders, if blackmail, extortion and bribery are to distinguish our educational system; if the children are to be initiated at an early age into the world of "graft," then indeed it is time for the mothers to rouse themselves, even though the fathers remain indifferent.

Into minds thus prepared, the Women's Auxiliary to the National Civil Service Reform League has continued to sow the seed of "divine discontent" with existing conditions, and to foster the growth of every budding desire for better government. Wisely availing itself of organizations already in existence, it has continued its endeavors to influence public opinion through the agency of the Women's clubs. The workers have every reason to feel encouraged. The number of Federation and Club centres taking up, the study of the civil service increase steadily, and unprejudicial study invariably makes converts. Many of the State Federations have added to their present committees, a committee on Civil Service Reform, whose duty it is to distribute literature, to influence legislation by attending public meetings and legislative sessions, and to spread abroad by every possible means correct information on this vital principle of good government.

Through the efforts of Miss Perkins of Concord, one whole hour at the biennial meeting of the General Federation which was held at Los Angeles last spring was devoted to Civil Ser-

vice Reform. The subject was considered in its relation to our public schools; to our institutions of charities and corrections; and in its effect upon law and order in our cities and towns. So much interest was aroused that it was moved and carried unanimously that "the delegates to the Sixth Biennial of the General Federation of Women's Clubs here assembled, recommend to the incoming Board of Directors that a Committee on Civil Service Reform be added to the standing committees of the Federation."

A strong committee is to be the result of this resolution. The workers fully realize that little can be accomplished by individual women, but they believe that public opinion can be moulded by organizations acting together; and they believe further, that by uniting the needs of the public charitable institutions and the condition of women and children in the industrial world with a reform of the civil service they are placing this reform upon the ethical basis where it properly belongs.

It is quite true that women in general do not come into personal contact with political corruption, and hence do not appreciate its demoralizing influence, but each year sees more women serving upon the governing boards of public institutions; more women studying the condition of the public schools from the vantage ground of a school director; more women as factory inspectors coming to the rescue of the child slave, that victim of the combined cupidity of the manufacturer and its own parents; and it is from this ever increasing number of women officials that women in general are learning the necessity of a more honest and efficient administration.

What the Merit System means in the management of public institutions is more and more clearly understood, and work towards the end of placing such institutions under a good civil service law has been started in several of these states in which such a law is lacking. The principal need of the Auxiliary in presenting this work is a supply of appropriate literature, and interesting and capable speakers. There will be an endeavor to present the cause of Civil Service Reform at the Charities and Corrections Conference to be held at Atlanta, May, 1903.

After two years untiring effort, the Auxiliary has been fortunate in securing the active co-operation of college women.

During the last twelve months the Association of Collegiate Alumnae, a body of 4000 college-bred women, has been a very efficient ally of the Auxiliary, and with good reason, for to our educated young women the Merit System ensures greater opportunity to compete for positions of trust and responsibility. The branches in Chicago, Detroit, Ann Harbor and New York have given especial indication of their zeal in the cause of good government, and the friendly animus of the whole Association was manifested at their Annual Conference held quite recently in Washington, when Civil Service Reform was given a prominent place on the program, and the members listened with interest to an address by Hon. William Dudley Foulke.

Through the Secretary of the National League of Women Workers, and through the head workers in social settlements, the Auxiliary has been enabled to reach the large class of women who are wage workers. Many thousand pamphlets written by Miss Leonora O'Reilly, herself a wage worker, and explaining wherein working women will profit by an improvement in the civil service law, has been circulated among these women. The response so far has been meagre. Their training has made them, perhaps, receptive, rather than responsive, but when they begin to understand the meaning of better factory laws and more efficient inspection and to realize how much their comfort and well being depend upon honest officials, we can be certain that the influence of their organizations will be cast in favor of the Merit System.

In addition to this active propaganda, the Auxiliary has successfully conducted its second and third prize competitions. The essays submitted for the second record competition dealt with the history and condition of the civil service in some town personally known to the competitor, and was open to club women throughout the country. The third competition was open to the High School pupils of New York and Brooklyn, the subject of the essays being "The rise and fall of the Spoils System in New York."

The Auxiliary thus looks back upon a year of great activity along all lines. It has extended its influence in every state, and has reached all classes of women; and such a response has been evoked that there would seem to be a foundation for the enthusiastic prediction that by another year

every hamlet in every state and territory will know the meaning of Civil Service Reform.

The Women's Auxiliary to the Massachusetts Civil Service Reform Association has continued its educational work with notable success. The pamphlet written by Mr. Edward Cary, setting forth the respective claims of the Merit System and the Spoils System in a style adapted to the average High School pupil, and intended for collateral use in the study of United States history has met with much commendation from teachers of history. So great was the approval expressed by the High School teachers of Massachusetts, that the Auxiliary offered to give the pamphlet to all public schools whose teachers would agree to make use of it in their history classes. As a result of this offer over 9000 copies have already been distributed, a great proportion going to Roman Catholic Parochial schools. In addition to 40 High Schools in Massachusetts, they have supplied 120 schools in 24 states. All the High Schools in Milwaukee are using the pamphlet. The St. Louis School Board has voted to introduce it into all the High Schools in that city; the Baltimore School Board is considering like action, and the Auxiliary has received practical assurance that the pamphlet shall be used in every high and grammar school in San Francisco. Through the co-operation of Mr. Booker T. Washington it has been placed in Tuskegee and five other colored schools in the South.

Letters have been received from school masters expressing not only their belief in the doctrine taught by the Cary pamphlet, but testifying to the interest awakened in their pupils. The effect of this ethical teaching seems to have penetrated even to the primary classes, for it was only the other day that a small boy, who had evidently studied his geography lesson by the light of recent events defined an Island as "a body of land entirely surrounded by politics."

Before another school year opens, the Massachusetts Auxiliary hopes to have ready for school purposes other pamphlets which will show clearly the far reaching effects of the Spoils System in great cities. One such already has been written by Mr. Clinton Rogers Woodruff; and the Auxiliary is also indebted to Professor Lucy M. Salmon of Vassar College for a civil service reform syllabus of deep interest and value.

Besides this special educational work the Auxiliary has

co-operated with the State Federation Civil Service Reform Committee in holding meetings in many towns throughout Massachusetts. All these women's organizations are grateful to the National League for continued counsel and help, and chiefly for the fraternal welcome which has greeted their offer of co-operation.

The condition of Civil Service Reform in Pennsylvania suggests the undertaker advertisement in Punch: "Why live and be miserable, when you can be buried decent and comfortable for two pound ten."

There is only one Woman's Club in the State that has a Civil Service Reform Committee—the Civic Club of this City. That Committee is however steadfastly endeavoring to make itself felt throughout the State. It presented the claims of the Merit System before the last two Federation meetings; it was the intermediary in distributing the Massachusetts pamphlet to the Philadelphia High Schools, it has co-operated with the New York Auxiliary in their efforts to interest all women's organizations by bringing civil service reform to the attention of various chapters of the Daughters of the Revolution, and it is prepared to provide a speaker on the subject for any women's club in the State.

The chief need of Pennsylvania at the present moment seems to be the kind of an inventor who shall eclipse Marconi's most marvelous feats and give us wireless politics.

In this brief survey of the work of women's organizations for an improved civil service there is so much that is encouraging that the workers are surely justified in beginning another year with the energy that is born of hope. Considering what has been accomplished and against what odds, I should like to suggest a motto for all civil service reform workers, a motto that breathes defiance to obstacles, and unfolds before us the glorious prospect of a civil service purified and regenerated, the immortal motto of the late illustrious Sam Patch:

"Some things can be done as well as others."

ORGANIZATION
OF THE
National Civil-Service Reform League.

CONSTITUTION

[REVISED DECEMBER 13, 1900.]

ARTICLE I.

The name of this organization shall be the National Civil Service Reform League.

ARTICLE II.

The object of the Civil Service Reform League shall be to promote the purposes and to facilitate the correspondence and united action of the Civil Service Reform Associations, and generally to advance the cause of Civil Service Reform in the United States.

ARTICLE III.

The League shall consist of all the Civil Service Reform Associations in the United States which signify their willingness to become members thereof. Any such association hereafter expressing such willingness shall become a member of the League upon its being accepted as such by the League or the Council. Any member of any such association, and any individual specially invited by the Council, may be present at any meeting of the League and take part in the debates or discussions subject to such restrictions, if any, as the By-Laws may prescribe. The Council may in its discretion invite representatives of any other Society or organization to take part in any designated meeting of the League.

With the approval of the Council the Secretary may organize Correspondence Committees, of not less than three members, for the promotion of the work of the League in localities where there is no Civil Service Reform Association; the members of such Committees shall have the same status at the meetings of the League as the members of a Civil Service Reform Association.

ARTICLE IV.

At any meeting of the League all questions shall be decided by a majority vote of the individuals present and entitled to take part in the proceedings, unless a majority of the representatives of any association shall demand a vote by associations, in which case each association represented shall be entitled to one vote, which vote shall be cast by the delegates from such association present at such meeting or by a majority of them.

ARTICLE V.

The officers of the League shall be a President, a Secretary, and an Assistant-Secretary, and a Treasurer, who shall discharge the usual duties of such officers, and not less than ten Vice-Presidents; and there shall be a Council, to be constituted as hereinafter provided. The said officers and Council shall hold office until their respective successors are chosen.

ARTICLE VI.

The President and Vice-Presidents shall be elected by ballot at the Annual Meeting of the League.

The Secretary, Assistant-Secretary and Treasurer shall be chosen, and may be removed by the Council.

The Council shall be elected by the League at the annual meeting, and shall consist of at least thirty members, of whom there shall be at least one member from each Association belonging to the League. Ten members of the Council shall be a quorum.

The officers of the League, except the Vice-Presidents, shall be *ex-officio* members of the Council, and either the League or the Council itself may from time to time elect additional members to hold office until the annual meeting next following. Any member of the Council may act by proxy.

The Council shall elect its own chairman. It shall keep a record of its own proceedings and shall make a report to the League at the annual meeting. A vacancy in any office except that of Vice-President may be filled by the Council until the annual meeting next following.

ARTICLE VII.

The Council may, subject to these articles, manage the affairs of the League, direct and dispose of the funds and, from time to time, make and modify By-Laws for the League and for its own action.

No debt shall be contracted by the League or by the Council beyond the amount in the hands of the Treasurer.

ARTICLE VIII.

There shall be an Annual Meeting of the League at such time in each year, and at such place as the council may determine, at which officers shall be elected for the ensuing year, and other appropriate business may be transacted.

A special meeting of the League may be called at the discretion of the Council, or of the President, at any time, upon at least ten days' notice to be given by the Secretary.

ARTICLE IX.

Any provision of this Constitution may be suspended or amended by a vote of two-thirds of the members, or of the Associations, if a vote by Associations be demanded, present at a meeting of the League, due notice of such proposed suspension or amendment having been given at a previous meeting of the League, or of the Council.

BY-LAWS.

[ADOPTED BY THE COUNCIL JANUARY 18, 1901.]

§ 1. The annual meeting of the League shall be held at such time and place, in each year, as the Council may determine.

§ 2. At least three meetings of the Council shall be held in each year, one of which shall be as soon after the annual meeting of the League as may be practicable, and the others at such times and places as may be fixed by its Chairman. Special meetings may be called at any time by its Chairman or by the President of the League, and shall be called by the Secretary upon the written request of any five members.

§ 3. The Council shall elect its Chairman and the Secretary, Treasurer and Assistant Secretary of the League, at its meeting next succeeding each annual meeting of the League.

§ 4. At each meeting of the Council it shall be the duty of the Treasurer to make a statement of the amount of money in the treasury, and of the place of its deposit, and at the annual meeting of the League he shall state the sources of all moneys received, and set forth in detail all expenditures made, during the year.

§ 5. The order of business at each meeting of the Council shall be:

1. The reading and correction of the minutes of the last meeting.

And thereafter, unless otherwise ordered, as follows:

2. The admission of new Associations.
3. Statement of the Treasurer.
4. Report from the office of the Secretary.
5. Reports of Standing Committees.
6. Reports of Special Committees.
7. Miscellaneous business.

§ 6. There shall be the following Standing Committees to be annually appointed as the Council shall direct:

(1) A Committee on Finance, to consist of not less than nine members;

(2) A Committee on Publication, to consist of at least three members; and, *ex-officio*, the Secretary and the President of the League; and

(3) A Committee on Law, to consist of at least four members, and, *ex-officio*, the Chairman of the Council.

These Committees shall discharge the duties appropriate to their respective titles; vacancies occurring in any one of them may be filled by the Chairman of the Council.

§ 7. The following Special Committees shall be appointed as the Council shall direct, and discharged at the conclusion of the annual meeting of the League, next following:

(1) A Committee on Nominations, to consist of six members and, *ex-officio*, the Chairman of the Council.

(2) A Committee on Resolutions, to consist of six members, and, *ex-officio*, the President of the League.

These two Committees shall submit their reports at a meeting of the Council immediately preceding the annual meeting of the League.

(3) A Committee on Report and Programme, to consist of two members, and, *ex-officio*, the President of the League, the Chairman of the Council and the Secretary; a part of whose duty shall be to prepare for consideration by the Council, the draft of the annual report required by Article VI of the Constitution.

§ 8. These By-Laws may be amended at any meeting of the Council by a unanimous vote of the members present, or by the vote of a majority of such members, provided that, in the latter event, notice of the contemplated amendment shall have been given in the call of the meeting.





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